

## 7.3 EB Organizational Structure

### 7.3.1 Section outline

EB must choose and articulate the best institutional model for WED and EED and the Branch's internal components. This has been an ongoing challenge for EB since the creation of the Directorates over one decade ago.

As part of EB, both organizations are linked. They both serve to enforce Canada's federal environmental legislation and are authorized to act as peace officers. They are often co-located in one office and have similar organizational objectives. There are significant differences that separate the two groups beginning with the enforcement of different legislation and the carrying of different equipment. At the moment, both organizations function under one leadership within EB, and this report assumes this will not change. However, investments to revise the current organizational structure and chains of command would see large improvements in organizational efficiency, clarity, cooperation, and communication. These are intended as suggestions or examples of different routes EB could take with lists of associated advantages and disadvantages.

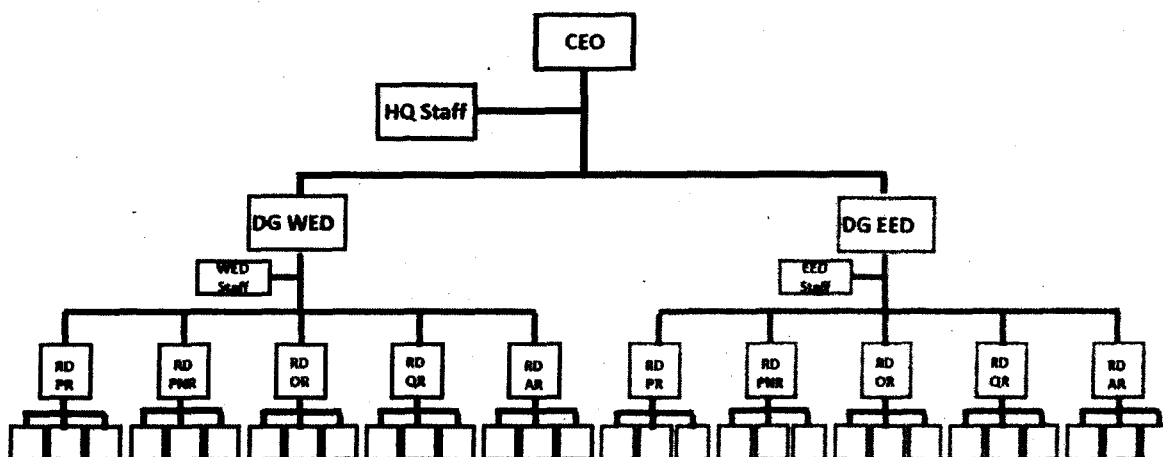
### 7.3.2 Common to all

The term CEO is in reference to the CEO which includes her/his staff. Much of the communication should be run through the operations manager who is more closely involved with running the operation.

### 7.3.3 Option 1 – *Status quo*

This option is the operational *status quo* for EB. It assumes that the structure in its current form will be able to oversee the transformation required for the EB to address the deductions in Section 1 and fulfill its mandate.

## Option 1 – Status Quo



Advantages	Disadvantages
1.1 No requirement to complete and staffing and the paperwork required for organizational change.	1.1 The present structure is arguably not delivering on the EB mandate.
1.2 Reduced fear that always accompanies change among employees of being reassigned or made redundant.	1.2 The existing silos will persist and the case for change will be difficult to communicate.
	1.3 Lower-level managers and even EOs can make strategic decisions for themselves and their work groups, and information on their decisions is reported to higher levels of management.
1.4 Tailored and adapted to the needs of each directorate and able to react faster	1.4 A disproportionate command and control framework for the number of FTEs in the EO does not make sense.
	1.5 Difficult to increase the EO and IO numbers within current resources.
	1.6 The manager to front line officer ratio exceeds accepted norms.
	1.7 EB's perception as two different organizations will continue
	1.8 Little unity of command
	1.9 Constraints on local usage of resources via duplication.
	1.10 Not conducive to creating an intelligence-led organization.
	1.11 Difficult to promote individual and organizational accountability with regards to overall mission.
	1.12 The separation between Directorates and lack of top-down operational framework allows for ad-hoc and non-integrated processes.
	1.13 Reputational risks exist within EB due to the inconsistent understanding and application of EB mandate across regions.

- 1.14** EB does not currently have the processes in place to properly run and maximize the benefits of a decentralized organization.

#### 7.3.4 Option 2 – Centralized Chief of Staff model

This model relates to the May 1998 Parliamentary report that states:

*(a) the Minister of the Environment revise the Department's current structure to establish an independent centralized enforcement agency, with regional branches, that would report directly to the Minister of the Environment;*

*(c) the Minister of the Environment take the necessary steps to ensure that the independent enforcement agency acquires the status of an investigative body and that it be designated as such for the purposes of the Access to Information Act. (Parliamentary Standing Committee on Environment and Sustainable Growth, 1998)*

The present structure has an extra management layer between the RDs and the CEO. As a result, the Minister is an additional step removed from enforcement and this does not meet the spirit of the recommendation.

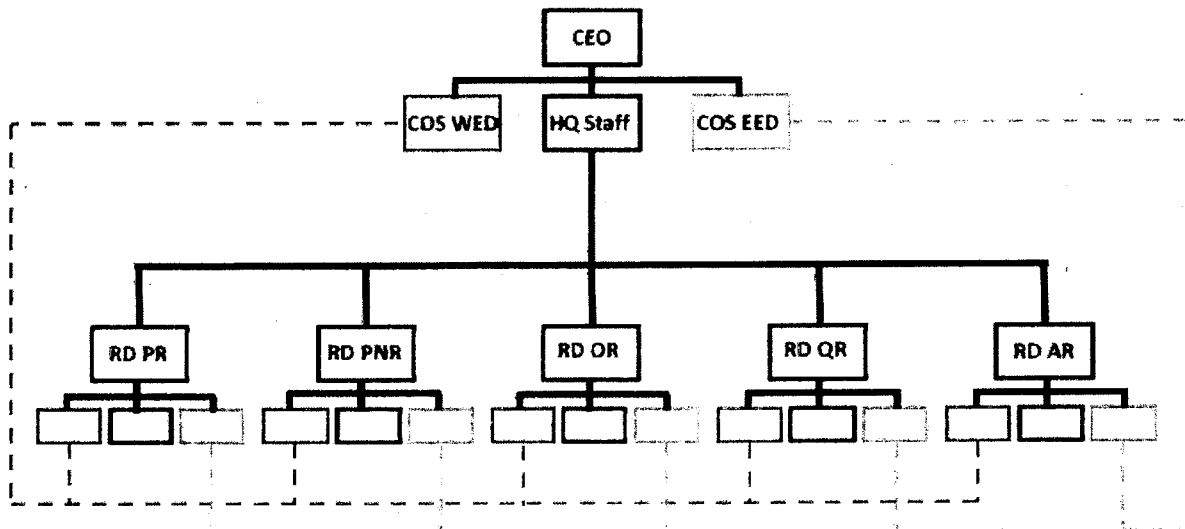
In this option, the CEO and operational staff would be the single authority for directing operations. The Regional RDs would report directly to the CEO. The DG WED and DG EED would become co-Chiefs of Staff (co-COS) with no direct line authority over operations. As co-COS, they would be responsible for the program management and strategic initiatives within WED and EED; this would include: WED- or EED-specific policy development, succession planning, professional development, and training. This allows for centralized decision-making and decentralized execution; EOs would be empowered by knowing the mandate and direction while having the freedom to act within that structure.

The co-COS to the CEO are critically important as they enable the CEO to work most effectively with internal and external stakeholders while fulfilling her/his commitments to EB's partners, stakeholders, and the Minister. This is not an administrative role; it is highly strategic and facilitative which requires a combination of focus and flexibility, and a willingness to play an active, behind-the-scenes role.

Each region would have one RD responsible for both EED and WED. Other modifications include:

1. WED and EED operations managers as part of the RD office that reports to the RD and the respective COS, as required.
2. An intel manager and staff to provide intel both up and down the chain of command (eg. Operational intelligence to EOs and strategic intelligence to RDs/COS.)
3. A Policy, Liaison and Communications Manager as part of the RD office to ensure proper communication between EOs, management, HQ, and non-EB stakeholders.

## Option 2



Advantages		Disadvantages	
2.1	Reduced silos	2.1	Involves detailed succession and change-management plans
2.2	More effective use of limited FTE	2.2	Resistance from the DGs to becoming COS
2.3	Centralized top-down direction to ensure focus on mandate	2.3	Resistance from RDs as there will be staffing changes within that part of the organization.
2.4	Promotes a single vision and mission for EB	2.4	Could become autocratic if the wrong person becomes CEO
2.5	Unity of command	2.5	Bureaucracy and inertia
2.6	Managers have authority over the appropriate number of people	2.6	Requires union buy-in for organizational change.
2.7	Planning and allocation of resources would focus on EB mandate.	2.7	Lengthy amount of time required to change the processes and requires a champion.
2.8	Increased decision-making efficiency as direction comes from one voice	2.8	Requires detailed, dedicated authorities – without which can lead to decision paralysis



- |  |  |
|--|--|
| <p><b>2.9</b> Decisions from the CEO supported by a strong central staff better align with overall organizational strategy and priorities</p> <p><b>2.10</b> Focused vision</p> <p><b>2.11</b> Ability to meet changing needs through a tighter chain of command</p> <p><b>2.12</b> Reduced conflict through cooperation</p> <p><b>2.13</b> Increased accountability</p> <p><b>2.14</b> Reduce reputational risk via consistency between Directorates and regions</p> <p><b>2.15</b> Reduction of redundancies</p> | <p><b>2.9</b> A very difficult transition given the current state of the organization at this time with current responsibilities.</p> <p><b>2.10</b> Lack of a strong centralized staff could isolate the CEO and HQ staff</p> |
|--|--|



### 7.3.5 Option 3 – Centralized Director General model

As in option two, this model relates to the May 1998 Parliamentary report that states:

*(a) the Minister of the Environment revise the Department's current structure to establish an independent centralized enforcement agency, with regional branches, that would report directly to the Minister of the Environment;*

*(c) the Minister of the Environment take the necessary steps to ensure that the independent enforcement agency acquires the status of an investigative body and that it be designated as such for the purposes of the Access to Information Act.*

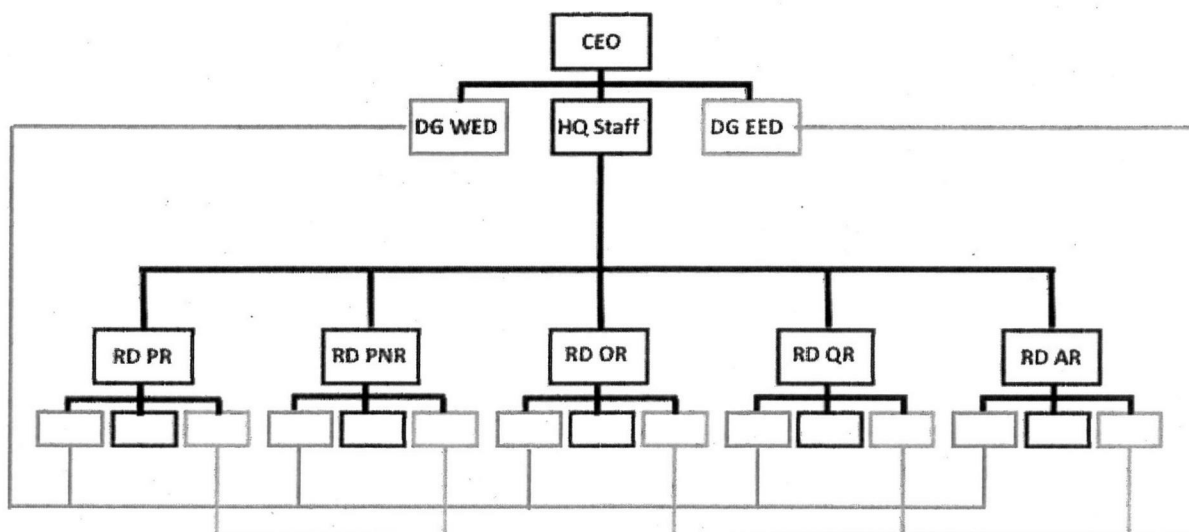
Similar to the previous model, the CEO and operational staff would be again be the single authority for directing operations and the RDs would report directly to the CEO. The Directors General (DG) for WED and EED would occupy a similar place as the COS, but retain more functional authority in the chain of command in addition to performing advisory, strategic, and management roles. Like the COS model, this allows for centralized decision-making and decentralized execution; EOs would be empowered by knowing the mandate and direction while having the freedom to act within that structure. However, it retains the current structure through retaining the DG position.

Functional authority allows the DGs to issue directions to staff not under line supervision. Examples of functional authority in the EB context could include: prescribing policy, validating re-certifications, reviewing operational methods, or determining the time when activities are to be undertaken. They do not direct operations. The RD is responsible for executing instructions given by the functional authority as well as from the executive are carried out.

Each region would have one RD responsible for both EED and WED. Other modifications include:

1. WED and EED operations managers as part of the RD office that reports to the RD and the respective COS, as required.
2. An intel manager and staff to provide intel both up and down the chain of command (eg. Operational intelligence to EOs and strategic intelligence to RDs/COS.)
3. A Policy, Liaison and Communications Manager as part of the RD office to ensure proper communication between EOs, management, HQ, and non-EB stakeholders.

## Option 3



	Advantages		Disadvantages
2.1	Reduced silos	2.1	Involves detailed succession and change-management plans
2.2	More effective use of limited FTE	2.2	Resistance from the DGs to becoming COS
2.3	Centralized top-down direction to ensure focus on mandate	2.3	Resistance from RDs as there will be staffing changes within that part of the organization.
2.4	Promotes a single vision and mission for EB	2.4	Could become autocratic if the wrong person becomes CEO
2.5	Unity of command	2.5	Bureaucracy and inertia
2.6	Managers have authority over the appropriate number of people	2.6	Requires union buy-in for organizational change.
2.7	Planning and allocation of resources would focus on EB mandate.	2.7	Lengthy amount of time required to change the processes and requires a champion.
2.8	Increased decision-making efficiency as direction comes from one voice	2.8	Requires detailed, dedicated authorities – without which can lead to decision paralysis

- |   |  |
|---|--|
| <p><b>2.9</b> Decisions from the CEO supported by a strong central staff better align with overall organizational strategy and priorities</p> <p><b>2.10</b> Ability to meet changing needs through a tighter chain of command</p> <p><b>2.11</b> Focused vision</p> <p><b>2.12</b> Reduced conflict through cooperation</p> <p><b>2.13</b> Increased accountability</p> <p><b>2.14</b> Consistency between Directorates</p> <p><b>2.15</b> Reduce reputational risk via consistency between Directorates and regions</p> <p><b>2.16</b> Reduction of redundancies</p> <p><b>2.17</b> DGs retain a greater functional authority which is similar to current roles, resulting in an easier transition.</p> | <p><b>2.9</b> Functional authority can create confusion among EOs if not done properly; multiple individuals promoting a single vision.</p> <p><b>2.10</b> Lack of a strong centralized staff could isolate the CEO and HQ staff</p> |
|---|--|



#### 7.4 CEO centralized operational staff

As EB aspires to become an intelligence-led organization to better embrace its enforcement role, it will likely require a centralized operational staff. The May 1998 Standing Committee Report states:

*(b) in setting up an independent centralized enforcement agency, the Minister of the Environment ensure that enforcement decisions are not made by officials having managerial functions and responsibilities in areas other than enforcement. (Parliamentary Standing Committee on Environment and Sustainable Growth, 1998)*

The purpose of the operational staff is to provide accurate, timely information (including the results of contingency planning) on which the CEO can base command decisions. The staff will recommend approaches and support well-informed decision-making to effectively manage and conserve resources. This is enabled by a smooth flow of information and intelligence up and down the command structure.

Staffs are generally the first to know of issues that affect its unit. Issues that require major decisions affecting the unit's operational capability are communicated to the CEO. However, the staff also shield the commanding officer from smaller matters and delegate them appropriately. This allows for an efficient application of resources across the unit.

Crucially, this will separate policy and operations. Currently, staff are running dual shops; they create and develop policy while also directing operations. This is extremely difficult and does not maximize the abilities of individuals; these are two different skill sets and require two different job descriptions and mind-sets. The CEO requires both operational support and strategic direction within each Directorate; separating the policy and operations sections will allow that to occur.

Specific positions that EB should consider adding or retaining the following capabilities or resources within CEO staff:

1. Intelligence co-coordinator to lead all EB intelligence activities, including interagency activities, and who reports directly to CEO.
2. Modify the Strategic Policy Office to include an Operational Policy Development and Communications Office. This would provide EB leadership with a role in policy development, creation and use of MOUs, and strategic communications. This office would report directly to the CEO.
3. Modify the HR Management Services Office to be responsible for recruiting, management direction, and HR issues. This office would work in coordination with the above offices and report directly to the CEO.
4. Create capacity and appropriate human resources to support DGs or co-COS, as appropriate.

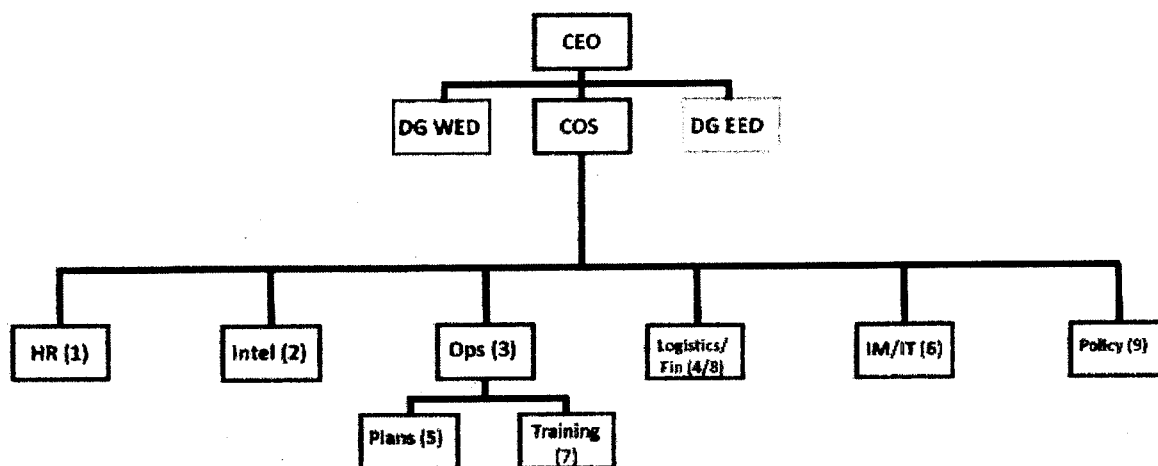
All specific terms of reference would have to be determined and fit within the EB context to develop an HQ staff that accounts for all organizational needs.

The example is based on the *continental staff system*.<sup>19</sup> The staff numbers are assigned according to custom, not hierarchy, traceable back to French practice; that is, 1 is not higher than 2. This ensures all the basic functions of an organization fall under at least one individual's capacity. Moreover, this also identifies ways in which one position can be responsible for multiple areas of responsibility.

1. HR or personnel
2. Intelligence and security
3. Operations
4. Logistics
5. Planning
6. Communications and information management (including IT)
7. Education and Training
8. Resource management (finance and contracting)
9. Policy and MOU management

EB could utilize an organizational structure similar to this. However, the research team has neither the perspective nor mandate to prescribe changes to EB; HQ is positioned to better assess EB's needs.

## Descriptive Centralize Staff Structure for EB



### Review

<sup>19</sup> Most NATO countries have adopted the continental staff system (also known as the general staff system) in structuring their militaries' staff functions. In this system, which is based on one originally employed by the French Army in the 19th century, each staff position in a headquarters or unit is assigned a letter-prefix corresponding to the formation's element and one or more numbers specifying a role.



Advantages		Disadvantages	
1.1	An operationally-focused organization	1.1	Will require time to develop processes and SOPs
1.2	CEO decision making enhanced	1.2	
1.3	Unity of command	1.3	
1.4	Members of staff have defined roles		
1.5	Easy to see where operations overlap, allowing for efficient use of resources.		

#### 7.5 Options to provide EED officers with a sidearm

**Deduction 7.1** - *This study has not been able to determine without any doubt that all EED officers should carry a sidearm.*

The study does not conclude that EED officers require a sidearm to fulfill the needs of their position at this time. This may change in the future, especially as organizational changes in the form of better intelligence, organizational structure, training, interagency cooperation, and communications show benefit. However, the research team is not in a position to fully understand the organizational challenges, budgets, culture, priorities, and approval processes to recommend any one course of action. However, through this exercise, EB identified five potential options to consider. After review, EB HQ may determine that some of these courses of action could be viable and lead to further study and implementation either in whole or in part. This portion does not presuppose that EB may consider the current situation where EED EOs do not carry a sidearm to be a viable option.

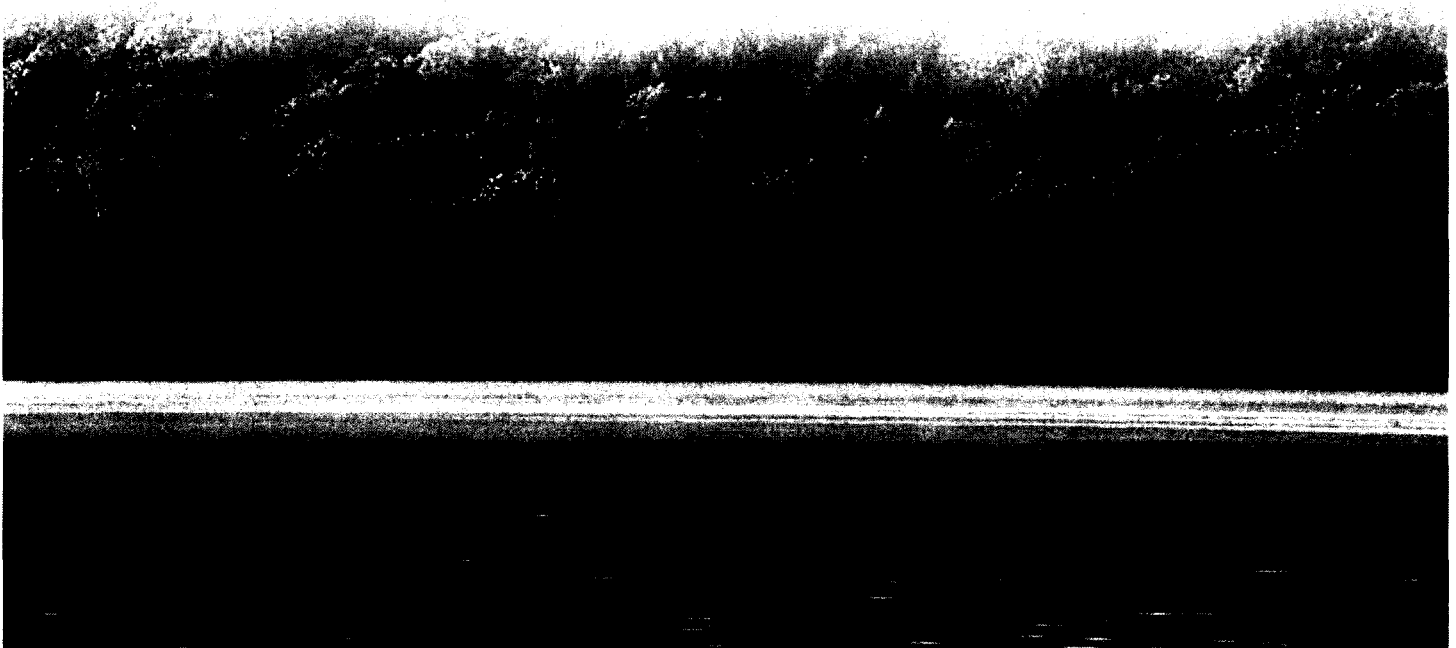
Moreover, an infinite number of minute variations exist to these options. They are not fully comprehensive in terms of the proposals or the effects of any of the proposals. If EB were to decide to provide EED officers, or a subsection of them, with a sidearm, a full study dedicated solely to this question would be appropriate.

Finally, any investment in arming EED officers, either in part or in full, must also be considered in terms of the immediate cost of its implementation as well as a delay on implementing other and, in the opinion of the research team, more pressing needs.

<sup>20</sup> One respondent noted agencies use this model, such as British Columbia Natural Resource Law Enforcement.

**THREAT AND RISK ASSESSMENT OF  
ENFORCEMENT OFFICERS**

**ENFORCEMENT BRANCH  
ENVIRONMENT AND CLIMATE CHANGE CANADA**



The Northgate Group  
PO Box 45558  
Chapman Mills  
Ottawa, Ontario  
K2J 0P9

**Northgate**

**2017**

## CONTENTS

<b>1</b>	<b>Executive Summary .....</b>	<b>6</b>
<b>2</b>	<b>Methodology.....</b>	<b>8</b>
2.1	Collection of quantitative and qualitative data.....	8
2.2	Project challenges.....	9
2.2.1	Logistical challenges.....	9
2.2.2	Perceptions.....	9
2.2.3	Methodological challenges .....	9
2.3	Access to management and officers.....	10
2.4	Assessing WED and EED.....	10
2.5	Data analysis and demographics .....	10
2.6	Management engagement and Enforcement Branch officers' response.....	11
<b>3</b>	<b>Officer Activities .....</b>	<b>12</b>
3.1	Chapter Summary.....	12
3.2	Job Activities .....	13
3.2.1	Variance within the Directorates – WED .....	14
3.2.2	Variance within the Directorates -- EED.....	14
3.3	Explaining Regional Discrepancies for EED.....	17
3.4	Work environment and work conditions.....	17
3.4.1	Has the job become more or less dangerous over the past five years? .....	17
3.4.2	Contact with weapons.....	18
3.4.3	Work-alones .....	19
3.4.4	Remote locations .....	21
3.5	Threats encountered .....	22
3.5.1	Perceived risk at officer locations .....	22
3.5.2	Perceived Risks.....	24
3.6	Assistance between law-enforcement bodies.....	33
3.6.1	Support for sister directorates .....	33
3.6.2	Support to armed law-enforcement agencies .....	34
3.6.3	Support from armed law- enforcement agencies.....	34
3.7	Response time in case of emergency .....	35
<b>4</b>	<b>Operational activities.....</b>	<b>36</b>
4.1	Introduction.....	36
4.2	Conduct of Operations.....	38

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

4.2.1	Operational Risk Management .....	38
4.3	EB Operations .....	39
4.4	Intelligence .....	40
4.4.1	Current Intelligence Program.....	41
4.4.2	Intelligence Renewal Project.....	44
4.4.3	Use of intelligence assessment in the investigation process (CPIC and NEMISIS/Gavia) .	45
4.4.4	Social media for investigative and intelligence purposes .....	47
4.4.5	Exchange of information and intelligence with other enforcement agencies.....	48
4.4.6	Intelligence-led agency .....	48
4.4.7	Thematic Deductions for Intelligence .....	49
4.5	Operational Communications.....	50
4.5.1	General.....	50
4.5.2	Perceived disconnect between operational and managerial levels with regards to communications capabilities .....	51
4.5.3	Regional Disparity.....	52
4.5.4	Blackberry.....	52
4.5.5	Satellite Phone .....	53
4.5.6	Radio.....	53
4.5.7	SPOT .....	54
4.5.8	Other communications systems.....	55
4.5.9	Deductions for internal communications.....	55
4.6	Training .....	56
4.6.1	Basic.....	57
4.6.2	Recertification .....	59
4.6.3	Continuous Training .....	60
4.6.4	Specialized Training.....	62
4.6.5	OHS Training.....	62
4.6.6	Major Deductions for Training Issues .....	62
4.7	Officer Safety Equipment.....	63
4.7.1	Uniforms.....	64
4.7.2	Ballistic vests .....	65
4.7.3	Cameras.....	66
4.7.4	Procurement .....	66
4.7.5	Major Deductions for Equipment.....	67

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

<b>5</b>	<b>Policy.....</b>	<b>67</b>
5.1	Chapter summary .....	67
5.2	Use of Force Policy.....	68
5.3	Branch Cooperation.....	69
5.4	Special Investigations Unit.....	69
5.5	Specialized intelligence operations .....	70
5.6	Policy creation .....	71
5.7	Work-alone policy.....	72
5.8	Implementation of a major case management program .....	73
5.9	Reporting system for officer safety and threat awareness .....	74
5.10	Strategic communications - Internal and External dialogue .....	76
5.11	Increase interagency capabilities (MOUs).....	77
5.11.1	MOU creation .....	77
5.11.2	Officer interpretation of MOUs.....	78
5.12	Address rumours of a quota system.....	79
5.13	Officer exemptions .....	80
5.14	Social Media.....	80
<b>6</b>	<b>Management .....</b>	<b>81</b>
6.1	Chapter summary .....	81
6.2	Clarify Enforcement Branch mandate .....	82
6.3	Define the term enforcement as it applies to EB .....	83
6.4	Enforcement Branch hiring processes .....	85
6.5	Succession Planning.....	85
6.6	Chain of command.....	86
6.7	Divide between officers and HQ.....	87
<b>7</b>	<b>Options for EB .....</b>	<b>89</b>
7.1	Chapter Summary.....	89
7.2	Deductions.....	89
7.2.1	Horizon one .....	90
7.2.2	Horizon two.....	92
7.2.3	Horizon three .....	94
7.3	Options to provide EED officers with a sidearm.....	97
	<b>Appendix – Areas to explore.....</b>	<b>98</b>
A1	Organizational footprint .....	98
A2	Survey .....	99

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

<b>Bibliography.....</b>	<b>111</b>
--------------------------	------------



## 1 Executive Summary

Environment and Climate Change Canada is tasked with one of the most pressing issues of this generation: the stewardship and protection of Canada's natural resources and environment. ECCC tasks the Enforcement Branch (EB) with enforcing relevant federal laws across the country. EB's role in the overall protection of the environment is both vital and unique; it is a federally-funded organization that uses enforcement actions to ensure violators comply with federal legislation. This is critical as, without enforcement, violators may not be deterred from breaking Canadian wildlife and environmental legislation. There are no other federal agencies that duplicate EB's work, nor are there other federal agencies that have the same enforcement mechanisms and mandate as EB. EB enforcement officers are often the first to arrive when an oil spill occurs, they personally combat poaching, and they engage local stakeholders to promote compliance and awareness of laws. Canadians depend on laws enforced by EB to protect the air they breathe, the soil upon which they walk, and the waterways that cross Canada.

The Enforcement branch engaged The Northgate Group (TNG) to review Enforcement Officer (EO) activities and policies regarding use of force and officer safety. While initially focused on the kinetic actions of EOs and the *hazard risks* they face, TNG quickly realized this scope was insufficient to properly review EO safety. TNG had to consider the system that supports EOs in the field, the policies that support and direct them, and the management and leadership structures that direct them. This review needed to speak to the safety of EO, and also to validate the implementation of EB's commitment to deliver an effective, efficient and innovative organization to fulfill its mandate.

This exercise reviewed and identified a variety of strategic risks EB currently faces. Importantly, strategic risks should be framed as opportunities for EB. They allow EB to improve and better deliver on the mission with which all Canadians have entrusted it. Clarifying and clearly stating mission and vision statements, including the expectations that EB and all Canadians should have and expect of EB, is the first step in this process. Any mission or vision statement must have the full organizational buy-in. Questions, and lack of clarity impacts every decision within the organization, from determining strategic directives of training and hiring practices to the procedure with which a Wildlife Enforcement Directorate (WED) EO should conduct roadside checks of duck hunters.

EB's operational and strategic management also presents opportunities for improvement. Addressing these strategic opportunities will allow EB to better allocate resources while improving effectiveness and EO safety. Core to this is examining the leadership structure at EB. The current structure is decentralized leaving the CEO effectively with resource allocation as authority only. Furthermore, the HQ staff works in isolation from the main direction of the EB enterprise and juggles both policy and operational issues which should be separated. TNG identified two organizational models and HQ staff structure that would suit EB's structure, desire for improved resource allocation, and support the development of an efficient, innovative operational staff to direct operations.

Beyond management structure, TNG identified several additional strategic opportunities for EB. The goal of these strategic observations is to identify and describe opportunities within EB that, after addressing them, will lead to improved operational effectiveness, better enforcement of EB mandate, and a safer environment for EOs. Vital to EB is the proper use of intelligence to reduce risk exposure and implement a proper operational risk framework. EB still struggles to operationalize its intelligence capacity and underutilizes available intelligence in both strategic and tactical settings, missing enforcement

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

opportunities and increasing EO risk exposure. In his mandate to the minister of ECCC, the Prime Minister specifically stated that individual ministers are to:

- Track and report on the progress of our commitments;
- Assess the effectiveness of our work; and
- Align our resources with our priorities.

An investment in developing intelligence, reporting, and internal communications will act as a force multiplier for EB. It will support EB's ability to truly create and develop collaborative relationships with similar organizations on a municipal, provincial, national, and international level. Importantly, this will carry into relationships with Indigenous peoples whose stewardship of the land and close working relationship with ECCC and EB is vital to ensuring the environment is passed from this generation to the next. Overall, this investment will reduce the risk EOs face in the field, improve operational effectiveness and support EB's ability to enforce its mandate.

Within a larger strategic framework, EB also has strategic opportunities to improve, develop and implement more effective and precise training and HR practices. Through an inclusive, honest and merit-based approach, EB can work to ensure all staff are positioned and trained to fully execute EB's mandate. Without targeted contributions to ensure the proper people, in the proper places, at the proper time, EB risks not being able to identify and develop its human capital to its fullest potential. This in and of itself is a strategic shortcoming of the organization.

Improved strategic communications allow for EB to better and more clearly enunciate the exact value that EB brings to its stakeholders and Canada as a nation. Targeted investments will allow for increased understanding, stakeholder buy-in and transparency from EB. This is a net-positive benefit for all Canadians; as citizens in an environmentally-conscious nation, we desire more information as to how our government is protecting the environment in which we live. This supports EO safety through a better understanding of their presence, greater community support for their work and better integration of community feedback into their activities.

TNG reviewed EB policy related to use of force and TNG quickly recognized that the policy itself is not the core of the strategic challenges EB faces. TNG identified the primary challenge with regards to policy is problems with its implementation that stem from its current management and cultural challenges. Any policy review in EB must also question not only the quality of the document but more importantly its applicability to the EB context; does the specific policy fit into the operational framework EB is looking to implement. Much like the previous strategic challenges, these offer an opportunity for EB; improved organizational cohesion will improve enforcement capabilities while also reducing EO risk exposure.

Investment in managerial processes and organizational change will aid EB in addressing its tactical shortcomings. Specific to this EOs identified, in nearly every interview, that emergency communications need to be addressed. Targeted organizational investment will increase the ease of identification and eventual solution of any tactical problems faced by EOs.

TNG notes that these challenges can be addressed, but maximum effectiveness will require dedicated, organizational buy-in and targeted investments. TNG believes that EB currently has the right leadership in place to effect the organizational changes required and move the organization in a direction that will meet Canadians' standards for an open, meaningful, accountable branch that will work to protect and steward a clean environment and ensure a sustainable future for all Canadians.

## 2 Methodology

### 2.1 Collection of quantitative and qualitative data

Data was collected over a one-month period by a series of in-person and telephone interviews. Respondents answered questions from a survey in a semi-structured format. Respondents were not shown the survey in advance and were requested to not discuss it with others taking the survey, however, most in-person interviewees had a copy of the survey to follow progress. Interviews were conducted in English and French, according to respondent's choice, on location across the country. Respondents from both Directorates and located in every Canadian province and territory participated in this survey.

The semi-structured interviews provided both quantitative and qualitative data. Respondents provided answers to the survey questions that make up the quantitative data. Respondents expanded on questions with their own stories and experiences. This provided context to help team members better understand the quantitative data.

Beyond the survey, TNG visited and attended the annual EED regional directors meeting in Montreal from February 20<sup>th</sup> to 23<sup>rd</sup>. TNG interviewed union representatives from the Union of Health and Environment Workers. TNG also interviewed representatives from headquarters to better understand the threats and risks they perceive from across Canada and their appreciation of some of the institutional or policy challenges that affect officers' safety. These interviews did not follow the same interview structure.

Project interviews were conducted over a six-week period from the week of February 13 until the week of March 27. One hundred and ninety-eight of the 207 interviews were completed between Wednesday, February 15 and Friday, March 17.

To supplement the interview processes, the research team also reviewed relevant materials supplied by EB. While not a comprehensive list of all documents included in this report, the primary material supplied by EB included the following:

- EB policy documents
- EB Living Document Strategy for the Enforcement Operations Manual 2016 (EOM)

Core government documents available in open source specific to EB reviewed in this study include:

- 2011 December Report of the Commissioner of the Environment and Sustainable Development
- 1998 Report of the Parliamentary Standing Committee on Environment and Sustainable Development
- Justice Institute of British Columbia Workplace Refusal Investigation

The TNG research team would like to express its thanks for all the regional coordinators that assisted us in obtaining interviews in a short period of time. The project kick-off meeting occurred on Thursday, January 26 and the interview process was nearly completed less than two months later. This means it planned, confirmed, and conducted a national series of interviews with two distinct Directorates, including in-person and phone interviews in a period of two months from inception to 95% completion.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

### 2.2 Project challenges

#### 2.2.1 Logistical challenges

TNG was faced with creating, organizing, and delivering a national questionnaire to review an organization that is split into two distinct Directorates, while also providing those interviews in the language of the interviewee's choice. This involved not only conceptualizing the project, but also organizing the logistics of scheduling interviews, planning travel, and performing check-ins with the Enforcement Branch. While a challenge, TNG met the requests and successfully conducted interviews in the allotted time.



Figure 1 - Locations of EB officers interviewed for this study.  
Blue is EED officers, orange is WED officers

#### 2.2.2 Perceptions

When conducting the study, interviewers identified several misconceptions that continued to arise in discussions with participants regarding the applicability of a sidearm. Several WED officers expressed concerns that TNG was doing a study to 'take away our tools'. Conversely, some EED officers expressed concern that the only purpose of this study was to determine if the officers should carry a sidearm. Officers were informed this was not the aim the survey and, while questions about the applicability of a sidearm were asked, the survey was explained as being a holistic look at the organization rather than a specific question about one tool. Interviewers expressed that the focus of the study was identifying the threats and risks officers face while performing their work.

#### 2.2.3 Methodological challenges

TNG identified several issues during the survey.

Some questions left room for interpretation on the respondent's part. Respondents may have approached specific questions from different perspectives. This sometimes lead to differences in how individuals approached specific questions and had them answer them in different ways. For example, when asked if officers believed it would be valuable to have an on-body and/or car camera, several noted very strong positive sentiment for one, but very negative sentiment for the other. This made answering that question challenging.

During the surveys it became apparent that some questions required additional categories. For example, when examining specific threat agents, some that were reported required a category that were not in the original survey; this includes fishermen and sovereign citizens. In this case, both groups were quickly identified after the beginning of the survey, however it was too late to include them in the survey. To mitigate the effect of issues like this, researchers and interviewees included this information in the qualitative data and supplemented it where appropriate.

Also after beginning the survey it became apparent that some of the questions were phrased in ways that did not address the specific issue the Branch faces. For example, the question "how often does the Environment Canada field-safety communication system not meet your needs?" met with some answers that did not fit into that paradigm. For example, some respondents stated the following:

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

*"There is no field-safety communication system."*

*"The field-safety communication system meets my reporting needs, but not my emergency needs."*

*"I've never used the field-safety communication system so I don't really know."*

The survey was not designed to capture some of the nuances these questions brought out from respondents. In those cases, interviewers recorded this information in the qualitative data to inform the report, but it is not always reflected in the survey data.

### 2.3 Access to management and officers

Northgate found officers, management, and the executive branch welcoming with regards to the survey. Respondents were informed that the study had the support of both management and the union. Officers overwhelmingly stated a desire to be part of this process and welcomed the opportunity to try and make themselves more effective and safer in their work.

### 2.4 Assessing WED and EED

Officers from both WED and EED participated in this project. From the very beginning it was clear the organizations were very different in culture, outlook, and organization. As every officer noted throughout the interview process, a WED officer's tools include a sidearm while an EED officer's tools do not. However, for the purposes of this research, it was important to include all participants under one common framework to understand the organizational structure and the challenges it faces. Even with the organizational differences, it was important to understand the extent to which the threats and risks faced by both sides were similar, and the extent to which they differed.

To do this, TNG used one questionnaire to ensure both Directorates received the same questions. The data was structured in such a way to ensure that both Directorates could be examined independently.

### 2.5 Data analysis and demographics

Data was visualized via the business-intelligence software Tableau. The benefits of this included:

- Better understanding of the underlying trends in the data
- Better pinpointing specific problem areas
- Allowed more effective exploration of the data
- Aided identification of areas for future exploration with regards to the data
- Provided specific visuals for the project

TNG conducted 207 survey interviews and 203 were included in the study. One interview was conducted after an internal cut-off data for inclusion into the quantitative portion of the interview, and three interviews were not saved properly. Senior executives and headquarters staff that did not have operational experience were interviewed without the questionnaire. This allowed the research team to collect information about other aspects of policy, organizational management and leadership, the intelligence process and training.

The respondents were approached in the following ways to facilitate understanding survey results:



## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

The survey identified individuals from the ranks of enforcement officers, intelligence officers, management and the executive. This allows us to better understand the differing perspectives different positions have towards specific issues or challenges.	<table><tr><td></td><td>EED</td><td>WED</td></tr><tr><td>Enforcement Officer</td><td>104</td><td>48</td></tr><tr><td>Executive</td><td>4</td><td>3</td></tr><tr><td>Intelligence Officer</td><td>9</td><td>1</td></tr><tr><td>Management</td><td>19</td><td>15</td></tr></table>		EED	WED	Enforcement Officer	104	48	Executive	4	3	Intelligence Officer	9	1	Management	19	15						
	EED	WED																				
Enforcement Officer	104	48																				
Executive	4	3																				
Intelligence Officer	9	1																				
Management	19	15																				
Participation occurred from all over the country. The Northgate Group expected different regions to present different views of the same issues due to differences in regional leadership, culture, direction, and clients.	<table><tr><td></td><td>EED</td><td>WED</td></tr><tr><td>Atlantic</td><td>18</td><td>14</td></tr><tr><td>HQ</td><td>1</td><td>2</td></tr><tr><td>Ontario</td><td>29</td><td>13</td></tr><tr><td>PNR</td><td>28</td><td>14</td></tr><tr><td>PYR</td><td>25</td><td>12</td></tr><tr><td>Quebec</td><td>34</td><td>12</td></tr></table>		EED	WED	Atlantic	18	14	HQ	1	2	Ontario	29	13	PNR	28	14	PYR	25	12	Quebec	34	12
	EED	WED																				
Atlantic	18	14																				
HQ	1	2																				
Ontario	29	13																				
PNR	28	14																				
PYR	25	12																				
Quebec	34	12																				
To better understand the background that officers brought to this job from other organizations, participants were asked to provide insight into the previous number of law-enforcement organizations in which they had previously worked.	<table><tr><td></td><td>EED</td><td>WED</td></tr><tr><td>No previous law-enforcement experience</td><td>39%</td><td>15%</td></tr><tr><td>One organisation</td><td>48%</td><td>54%</td></tr><tr><td>Multiple organisations</td><td>13%</td><td>31%</td></tr></table>		EED	WED	No previous law-enforcement experience	39%	15%	One organisation	48%	54%	Multiple organisations	13%	31%									
	EED	WED																				
No previous law-enforcement experience	39%	15%																				
One organisation	48%	54%																				
Multiple organisations	13%	31%																				
To better understand the amount of knowledge transfer that occurs within the Branch, respondents were asked as to the number of locations at which they had worked.	<table><tr><td></td><td>EED</td><td>WED</td></tr><tr><td>1 location</td><td>73%</td><td>52%</td></tr><tr><td>2 locations</td><td>19%</td><td>30%</td></tr><tr><td>3 locations and up</td><td>7%</td><td>18%</td></tr></table>		EED	WED	1 location	73%	52%	2 locations	19%	30%	3 locations and up	7%	18%									
	EED	WED																				
1 location	73%	52%																				
2 locations	19%	30%																				
3 locations and up	7%	18%																				

### 2.6 Management engagement and Enforcement Branch officers' response

Northgate's impression of the Enforcement Branch is that the organization is professional, passionate and engaged in their work. Management was involved throughout the process and helped the team navigate difficult areas. Officers were generally happy to speak with interviewers and contributed stories and information where available and appropriate.

Within the Branch, Northgate's research team identified and spoke with all necessary individuals. This required contacting and setting up approximately 207 survey interviews and additional interviews. Representatives of The Northgate Group interviewed multiple members of the leadership team to better understand the core issues facing the executive team. The Northgate Group successfully interviewed all individuals within the executive team, including the:

- Chief Enforcement Officer
- Both Director Generals
- Both Executive Directors
- Planning Managers
- Director, Policy, planning and coordination



## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- Branch Training Consultant
- Enforcement Services Director (current and prior)

The research team also interviewed representatives of other relevant institutions:

- President of the Customs and Immigration Union

## 3 Officer Activities

### 3.1 Chapter Summary

This section examines the *hazard risks* that EED and WED officers face in their work. It uses the data provided from the questionnaire and focuses on the activities and perceived risks officers face in their work. The very nature of law-enforcement work; enforcing the laws of the state, carries significant risk. It is important to emphasize that this section focuses on perceived risks; risks that officers self-identify. The interpretation of a perceived risk is subjective and relates to the threat that the officers, in a specific situation, assess as dangerous or threatening. When perceptions and reality of risk are not synchronized, officers place themselves in danger. This can quickly lead to complacency and the normalization of additional risks if perception is low but risk is high. Alternatively, it can lead to high levels of anxiety and paralysis in job functioning if officers see ever-present extreme risk with no way to avoid or mitigate it. Both situations are a risk for officers.

This chapter is important to EB for five primary reasons:

1. Officers bring an important perspective to analysis of the threats they face on their job. This insight is a core component to the process of a threat-risk analysis as it provides insight into the job-related *hazard risks*.
2. In the cases where the perceived threats are deemed to be excessive or unwarranted, the Enforcement Branch must still address the emotions and fears that officers face.
3. This helps reveal likely breakdowns in the intelligence process. These are usually times when the executive, management, intelligence, and officer branches all have very different perspectives of where dangers lie.
4. Understanding these issues can lead to a better understanding of the type of work and organizational objectives across the country.
5. To allow EB to take informed corrective measures from this data.

This chapter also examines the prevalence of workplace violence as it occurs in the Enforcement Branch. The Canadian Centre for Occupational Health and Safety (CCOHS) defines workplace violence as “any act in which a person is abused, threatened, intimidated, or assaulted in his or her employment. Workplace violence includes:

- **Threatening behaviour** – such as shaking fists, destroying property or throwing objects.
- **Verbal or written threats** – any expression of an intent to inflict harm.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- **Harassment** – any behaviour that demeans, embarrasses, humiliates, annoys, alarms or verbally abuses a person and that is known or would be expected to be unwelcome. This includes words, gestures, intimidation, bullying, or other inappropriate activities.
- **Verbal abuse** – swearing, insults or condescending language.
- **Physical attacks** – hitting, shoving pushing or kicking. (Canadian Centre for Occupational Health and Safety, 2017)

In addition to that, the CCOHS lists ten different factors which can increase the risk of violence. EB work overlaps on at least five different categories:

- Working with the public
- Carrying out inspection or enforcement duties
- Working with unstable or volatile persons
- Working alone, in small numbers or in isolated or low traffic settings
- Having a mobile workplace

In all cases, EB is responsible for a delicate balancing act; it must fulfill its mandate while simultaneously recognizing that officers may suffer workplace violence. As a result, EB must maintain a proper balance, ensuring it properly fulfills its mandate while also minimizing exposure to workplace violence.

### 3.2 Job Activities

Survey results show the Directorates have very different job activities. WED officers perform a wide variety of different activities in their work. EED officers perform more inspection, evidence collection, and execution of search warrants in their work, although their jobs consist of a wide variety of activities.

When exploring the ongoing high-risk activities, the most significant differences between the Directorates are patrol, surveillance, arrests, and undercover work. In these cases, WED performs these activities at a far higher rate than EED, exceeding the EED rate by over 100% in all cases. This is likely due to the job requirements of a WED officer.

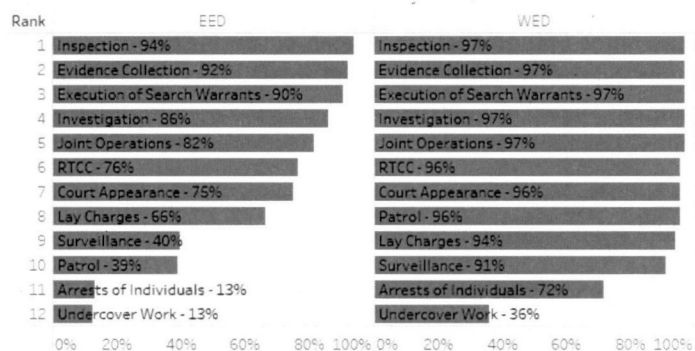


Figure 2 - Officer identified tasks for their job.

The two Directorates are extremely similar in a multitude of ways. Officers from EED and WED both perform many of the same general tasks, including:

- Working in remote locations
- Working with people who may be, or are breaking the law

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- Evidence gathering
- Executing search warrants
- Working in potentially hazardous situations

### 3.2.1 Variance within the Directorates – WED

*EOs in WED largely perform the same tasks to enforce their mandate. Variation exists within those tasks.*

WED officers stated similar job descriptions and activities, although the participation rate in them varied depending upon individual job requirements. Generally, job activities are somewhat similar, as can be seen in the chart above. Hours, clientele, equipment, environment, and levels of risk vary depending on an officer's specific activities.

Anecdotally, WED officers' roles are similar across the country. Most WED EOs participate in most of the following activities:

- Hunter checks
- Permit inspections
- Trafficking of trophies or animal remains
- Issues related to migratory birds

The variance in the data is minimal; of the twelve different activities, over 90% of WED respondents stated they participated in at least ten of those. This suggests that most officers are working on similar files or have similar job descriptions.

### 3.2.2 Variance within the Directorates -- EED

*EOs in EED perform different tasks to enforce their mandate. Their work is extremely varied.*

There is general agreement among officers of both Directorates that EED officers have extremely varied roles. Some EED officers are "largely corporate types", performing legal and compliance work in board rooms, oil spill sites, or mines. These officers tend to work in largely controlled environments and generally speaking, saw their work as less dangerous and less risky. Several officers stated that the "duty belt was overkill" and that "the risk just doesn't justify carrying a sidearm."

Other EED officers stressed the high-risk environment in which they work, rarely if ever, actually entering a boardroom. Some activities include:

- Conducting inspections on fishing vessels
- Surveilling individuals who may be breaking the law
- Collecting runoff from farms to sample for pesticide use
- Monitoring the collection and disposal of hazardous waste and toxic gases
- Conducting long-range patrols in a marine environment
- Conducting physical checks of materials and equipment on First Nations land
- Ensuring regulatory compliance of dry cleaners
- Determining the cause of fish kills.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

### 3.2.2.1 Regional differences in EED work

Several examples of differences within EED from the data stand out to show how different the job activities are, especially along regional lines. This was visible anecdotally as well as in the data. Anecdotally, officers from all over the country referenced “checking dry cleaners in Burlington,” suggesting that EED officers held the view that the Burlington office was largely involved in regulatory inspections of urban sites in the Greater Toronto Area. Similar comments were made for large urban area offices across Canada. This demonstrates how officers perceive that different parts of the country have vastly different jobs. The data also supports the anecdotal view that EED officers are involved in a very wide variety of tasks in vastly different environments. When asked to describe threats officers faced in the field, the disparity between regions was significant. For example, the answers with regards to ‘Wildlife-Related Dangers’ varied significantly.

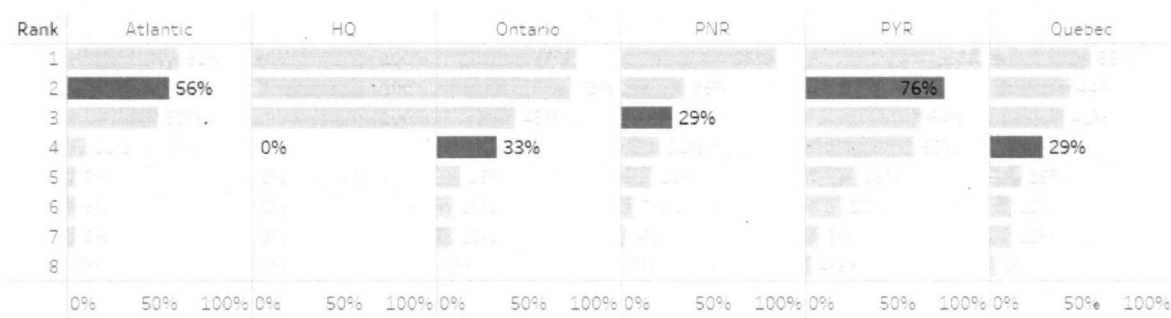


Figure 3 - Rank: (dark green) How EED officers perceive exposure to wildlife-related dangers broken down by region.

The data clearly indicates that Wildlife-related dangers are largely present in forested and backcountry areas. This is especially true in regions where officers are more likely to spend more time in remote areas.

At the same time, the specific threat agents, derived from the cases that officers undertake also vary significantly. For example, officers in Quebec have far greater contact with organized crime than they do in any other part of the country.

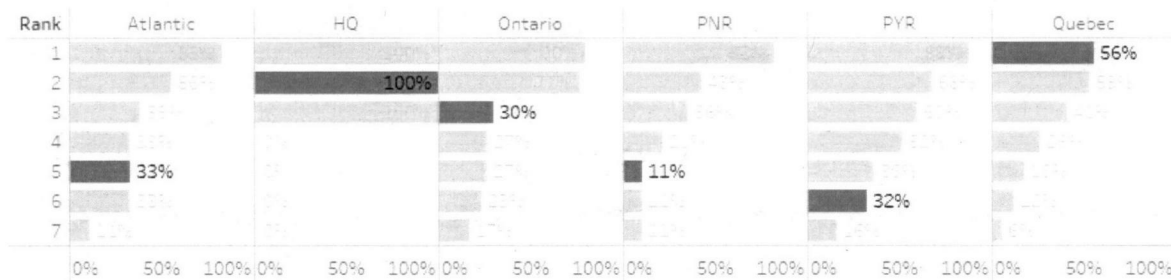


Figure 4 - Rank: (dark green) The percentage of EED officers who stated they view organized crime as a threat agent.



# Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

These differences do not appear to nearly the same extent in WED officers' perception of their tasks or their responsibility for personal safety. Regional differences are an ongoing theme of EED work and largely impact how EED officers view their own roles within the organization, the risks they face, and their ability to mitigate or avoid those risks.

Different regional priorities and activities can also be derived from examining EED data and description of job activities. In examinations of EED data for the surveillance and patrol functions of an EED officer's work, the regional differences are very high.

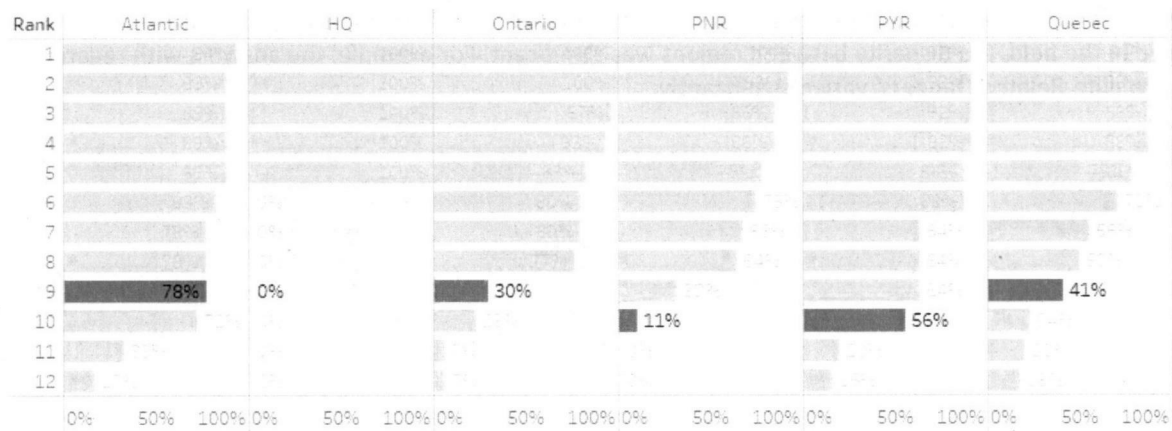


Figure 5 - Rank: (dark green) The percentage of EED officers by region who state they perform surveillance as part of their job.

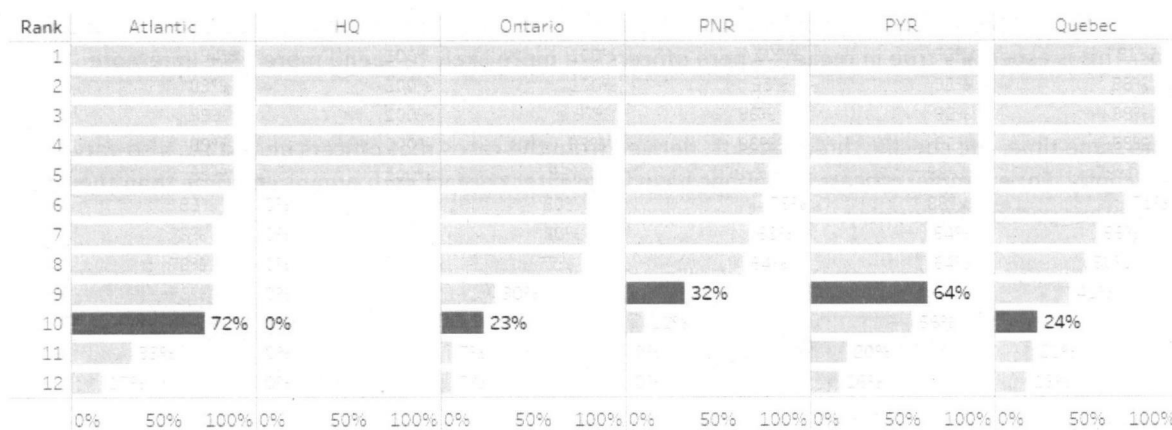


Figure 6 - Rank: (dark green) The percentage of EED officers by region who state they perform patrols as part of their job.

In this case, more officers from the Atlantic Region stated this comprises a greater part of their job. However, fewer officers from the PNR region perform surveillance as part of their job.<sup>1</sup> This is not to say

<sup>1</sup> Interestingly, the number of officers who stated that they perform surveillance in Ontario and PNR regions was the same as the number in both regions who identified organized crime as a threat agent.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

that officers should do additional or less patrol or surveillance work, but rather reflects the organizational objectives, targets, risk tolerance, and philosophies on a regional level.

### 3.3 Explaining Regional Discrepancies for EED

The variations in EED activities can be explained by a variety of factors:

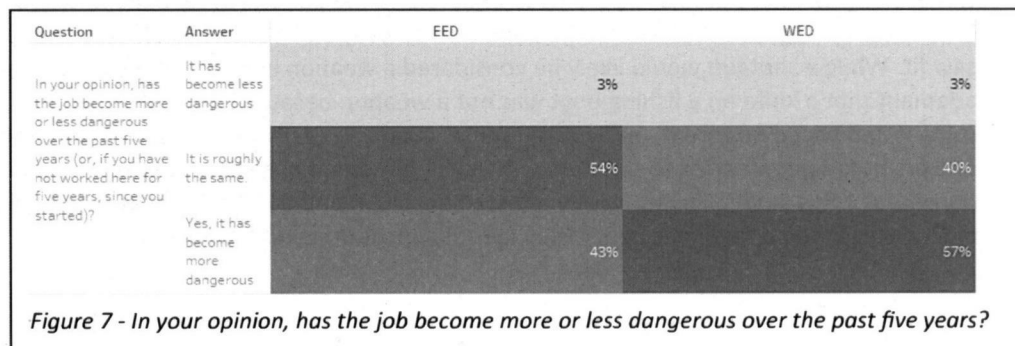
- Operational direction in the region
- Client activities
- Risk tolerance at a regional level
- Environmental conditions
- Use of intelligence assessments
- Level of formal and informal links with other law-enforcement agencies

This study identified that these differences exist between the regions, however, its purpose was not to identify and quantify the differences between regions that would explain those differences. EED should explore why there are significant differences between regions, what accounts for them, and if they serve the overall needs of EB.

### 3.4 Work environment and work conditions

The work environment for WED and EED differs depending on location and perceived threats.

3.4.1 Has the job become more or less dangerous over the past five years?  
When asked about the current state of the safety within the job, nearly all



officers stated that it was either as dangerous or had become more dangerous over the past five years. Some common themes from answers include:

- A perceived increase in targeting of law-enforcement professionals by criminals and terrorists
- Increased presence of fentanyl and risk of exposure
- Increased fines producing larger reaction from clients and offenders
- Increased number of prosecutions creating more unhappy individuals.
- More interactions with high-risk individuals, in particular those who would stand to lose their livelihood due to Enforcement Branch activities



Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- Increase in the profitability of the international wildlife trafficking<sup>2</sup>

There are very real trends to what the officers understand they face with regards to their safety. One that stands out is that an increase in wildlife trafficking and an increase in both the amount and number of prosecutions is producing a more dangerous environment for the Enforcement Branch's EOs.

Several officers also stated they were becoming more sensitized to the threats, risks, and dangers they faced in their work. For reasons such as spending more time at work or moving into more senior positions they are developing a more comprehensive view of the dangers they face.

The research team notes that a way to improve the accuracy of perceptions of the increase or decrease of threats to officers is through a greater capacity for intelligence and reporting. An increased intelligence capability returns focused, targeted, and objective products to officers to ensure they are aware of the dangers they face in their work.<sup>3</sup> Better reporting will allow for the executive and management levels to better understand the issues officers face and make data, and fact-based assessments and policy changes. This will serve to focus officers' attention on issues that are relevant and actionable.

#### 3.4.2 Contact with weapons

*EOs come into contact with weapons regularly throughout their work.*

*WED officers check hunters for proper documents which increases exposure to firearms.*

Because a significant portion of the Enforcement Branch's activities occur outside of urban environments, weapons are a commonly present. This is not to say they are used against officers or in a threatening manner but it is important to understand the general availability of weapons that officers encounter throughout their work. The definition of weapons was left to officers to determine as they saw fit. While a shotgun would likely be considered a weapon in nearly all situations, one officer was adamant that a knife on a fishing boat was not a weapon because it was highly specific to the individual using it and posed no threat. In the same sense, a car can easily be considered a weapon (several officers noted people tried to hit them with cars), but defining all cars as weapons is not useful for the purposes of this study. The ambiguity affected both EED and WED responses but there are clear differences in the overall frequency they identify encounters with weapons.

---

<sup>2</sup> Common examples of this include bear bladders for Chinese medicine, ivory from the north and animal pelts.

<sup>3</sup> The research team interviewed ten people who identified as 'intelligence officer' and input this information into the quantitative data. This survey did not provide us with the ability to identify the specific number of intelligence officers required for an organization as diverse and geographically spread out as the EB. The research team saw no indication via conversation or data that ten officers could cover the diverse needs of the officers of the EB.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

It is worth noting that not all officers recognized weapons when they were in fact confronted by them. In one case, an officer stated that he had never been threatened or assaulted with a weapon. However, when discussing OHS-related risks, the officer recounted a story of being on extremely rough water. When the officer returned to shore, he/she noticed there were bullet holes in the boat; the officers had been shot at.

However, only after discussing this story and questioning on the part of the interviewer did the officer recognize that in fact this was an assault. The officer remembered the event due to the bad weather not the fact that the boat had bullet holes in it.

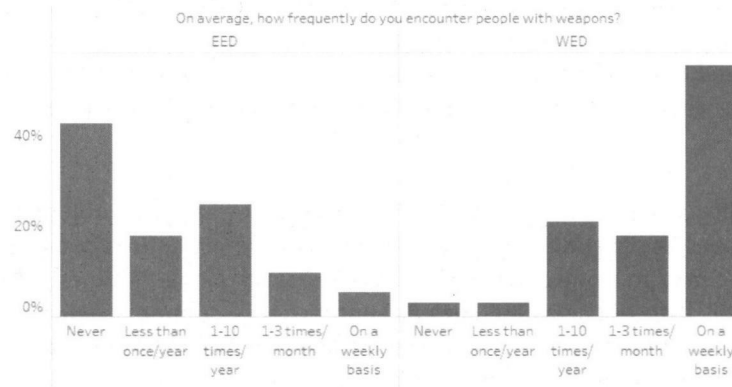


Figure 8 - The frequency with which individuals encounter people with weapons.

This chart shows the almost opposite frequency with which WED and EED officers encounter people with weapons. EED officers are clearly less likely to encounter people with weapons in the course of their work than are WED officers. WED on the other hand, spend a significant amount of time with armed individuals. The reasons for this are clear: WED officers perform ongoing checks on hunters for permits and game violations by definition, hunters are armed and nothing from this study suggests that WED officers do not require a sidearm for the work they do.

EED is more complex in terms of who and how they encounter armed individuals. Their interactions are varied and fall into different categories. Officers who largely perform compliance work, amend oil spills and carry out inspections in urban settings are less likely to encounter weapons in their line of work.

However, that is less true for EED officers who work in rural settings and perform inspections on farms, perform inspections on First Nations land, or perform inspections of aquaculture in marine settings.

### 3.4.3 Work-alones

*Generally, interviewees stated that fewer work-alones occurred than had previously. However, staffing concerns, a lack of planning to obtain interagency support and working in remote locations sometimes make it more likely they will be alone.*

*Risk assessments before working alone are not structured or performed consistently.*

Officers stated a great diversity of opinion and experience with regards to work-alone situations.

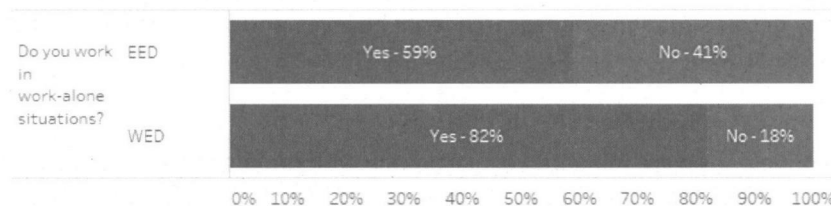


Figure 9 - The percentage of individuals who work-alone situations

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

The majority of EOs work in work-alone situations, although work-alones differ by location and mission. One exception is EED in Quebec; 85% of EED officers in Quebec stated they do not work in work-alone situations. In addition, nationally, officers did not seem clear on the existence of a Branch-wide policy on working alone.

Due to the different nature of the work the Enforcement Branch undertakes, it is at times appropriate for officers to work alone. As one officer stated, "I go to gas stations to measure rates at gas pumps, I don't need backup." However, other officers' situations are very different as they perform inspections on farms, checks on armed hunters and visit remote areas, sometimes alone.

### *3.4.3.1 Risk assessment*

The reality of the work that both EED and WED do is that some of it does not require multiple officers to amend specific situations. For example, when delivering notices of compliance to government buildings, an officer may go alone in what is technically a work-alone. At times, other officers have stated they do potentially high-risk activities, such as hunter checks, summons delivery at a client's home, or farm inspections by themselves. When asked what determined if a situation could be a work-alone, officers did not offer a uniform response. Officers generally stated one of three different responses:

- Work-alones were determined via what the officer felt, drawing upon his or her experiences which would lead to the decision to undertake a work-alone,
- Work-alones were discussed with a manager to obtain approval. Occasionally, this would occur in writing,
- Work-alones were undertaken only after the officer and manager performed a risk assessment.

Anecdotally, few officers stated they performed a formal risk assessment to determine if they should undertake a specific mission.

At the current time, the implementation of the EB work-alone policy (4-1-1) is not consistent. Its interpretation and implementation appear to vary between regions and even offices. Managers appear to be raising the risk tolerance beyond policy limits. The work-alone policy is covered in greater detail in chapter seven.

### *3.4.3.2 Staffing concerns*

One of the primary concerns for individuals going on high-risk work-alones is the challenge of staffing. In particular, WED officers face staffing challenges across the country. WED has roughly 70 officers and many offices have between 1-3 WED officers. When an office has two officers but one is seconded, sick, or busy with other work, officers must make the individual decision as to whether they should be working alone. The research team noted in the interviews that officers were forced to decide for themselves whether they would work alone. Although the survey was not designed to capture the frequency of this situation, the research team believes it to be a common occurrence. This applies to EED officers as well.

### *3.4.3.3 Support of other agencies*

Some work-alones were mitigated by partnering with other agencies, not just WED-EED partnerships, but rather partnerships with provincial agencies, the RCMP, DFO, or CBSA. Both EED and WED benefit from the support of other organizations to alleviate staffing concerns and provide additional capacity to a short-staffed office.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Internally, both WED and EED do provide support to their sister directorates. However, the rate of assistance between them leans heavily towards WED assisting EED more so than the other way around. Commonly, assistance consists of situations where additional hands are necessary, such as assisting in long drives, helping execute search warrants, or supporting in other ways.

Several WED officers noted they would not request support from EED for most kinds of field work as EED officers did not have the proper equipment (ie. Sidearm) to support WED officers in their work. Several officers stated this is possible when a mission is planned in advance; organizations such as the RCMP or Provincial Police are generally happy to provide support when given notice. However, other organizations are less able to provide the same level of support on short notice due to their own needs and operational requirements.

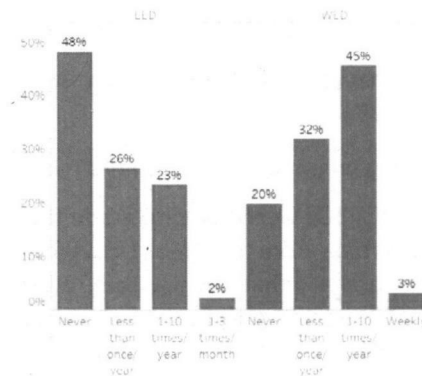


Figure 10 - The frequency with which respondents assist their sister directorate.

### 3.4.4 Remote locations

- As expected, a clear majority of Enforcement Branch officers stated they work in remote areas. 92% of officers answered this, the only exception to the norm was that 37% of EED officers in Ontario do not work in remote areas. This is likely due to two specific reasons. Southern Ontario is largely urban or rural with good cell coverage and few truly remote areas. Also, much of Southern Ontario's work is linked to urban tasks (For example, ensuring urban businesses stay in compliance with environmental regulations.)

With regards to remote locations, officers noted two primary concerns:

- If something bad happens, officers are on their own in terms of backup or assistance. One officer stated that "when things go wrong in extreme environments – in this case in the Arctic and especially when water is involved, they go wrong really quickly." This is compounded if assistance is several hours away.
- Communications serve the needs of reporting in remote areas, but do not serve for support or emergency purposes.

Officers generally gave the impression that working in remote locations was part of the job and aspects of it are unavoidable. One officer noted that flights from Iqaluit to Resolute Bay can cost upwards of

\$4,000 and can come with limitations in terms of gear (officers stated they would sometimes have to use gear provided by local or partner agencies on arrival). The cost of bringing additional officers could be prohibitive and work-alones in some cases were required. However, remoteness was a common theme in areas officers identified as having the greatest risk exposure. This is compounded by communication and HR deficiencies, identified in greater detail in chapter six. Officers noted that partner organizations, such as the RCMP, DFO, or a local organization could support EOs to reduce risk exposure.



## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

### 3.5 Threats encountered

#### 3.5.1 Perceived risk at officer locations

*EOs perceived First Nations reserves as an area where guidance and training are required to reduce risk.*

*Working in remote locations links many of the locations where EOs perceive the highest risk.*

During the study, EOs were asked to grade the threats and risks they faced at different work locations.<sup>4</sup> Officers graded risks from a scale of 1-5, where one was the least risk, and five had the most danger and risk. Officers were told that this was to be a general understanding of the situation and to pick the number they felt best fit the situation. Data was split into two Likert charts (next page) which show how officers in each Directorate view the threats and risks posed at each location.

Many respondents had difficulty answering these questions for two reasons. Many officers noted that the variety of events that occurred in any one location were so broad that it was extremely difficult to assign one number to cover all situations. Another interviewee had a basic challenge with the question; he/she stated that the situation was not the deciding factor; rather the EO must be at high alert at all times when fulfilling a mission as anything could happen.

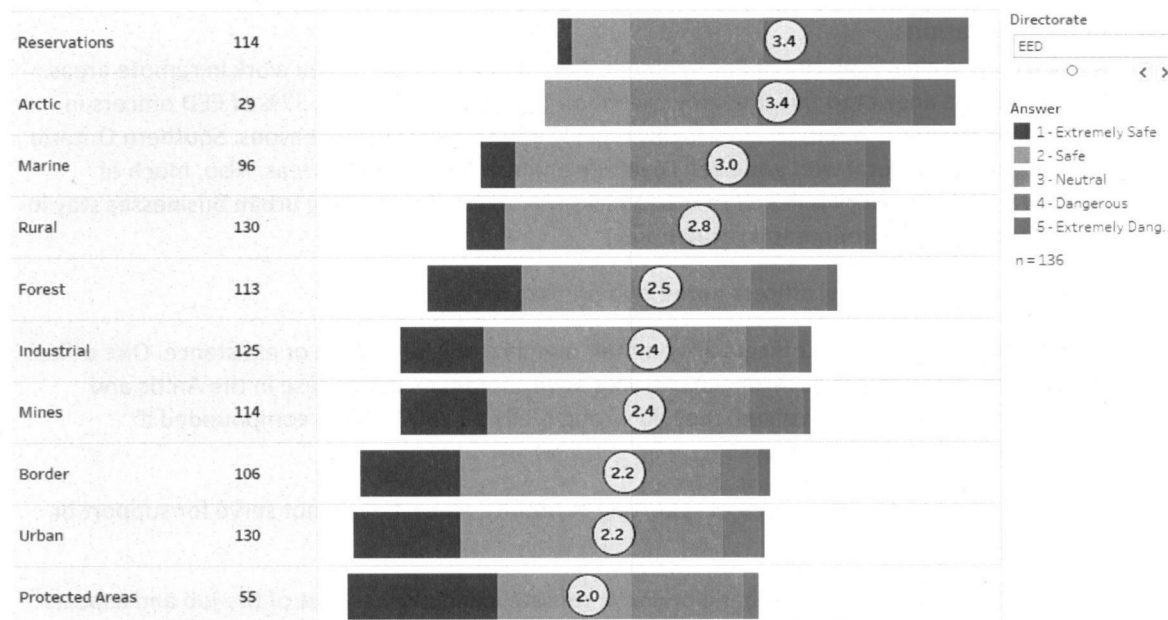


Figure 11: The perceived risk EED officers face at the locations at which they work.

<sup>4</sup> Many officers noted the difficulty in completing this exercise due to their work being so varied. Work on an industrial site could be completely safe through proper safety procedures, another industrial site could have very different safety standards and pose a greater risk.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

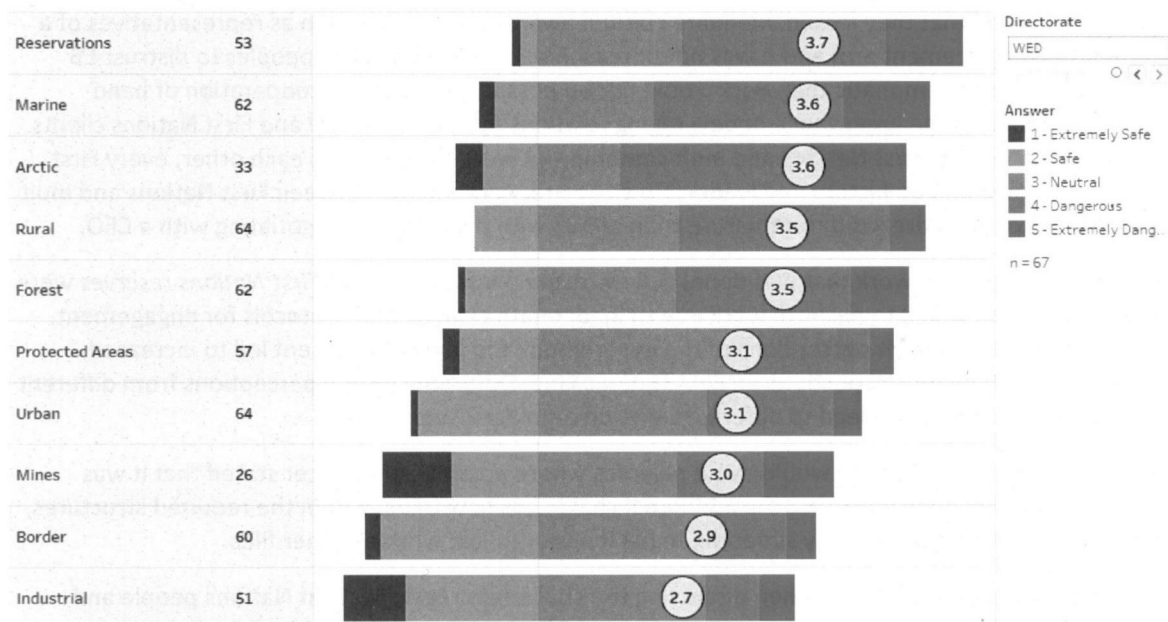


Figure 12: The perceived risk WED officers face at the locations at which they work.

### Comparing the Directorates

Upon viewing the charts, some immediate points were visible.

- In general, WED officers perceive their jobs as more dangerous than EED officers perceive theirs.
- The top-5 and bottom-5 locations are the same for both Directorates.
- Isolation and remote locations are core elements of the five most dangerous areas. If something bad happens, the officer is on his or her own.
- Except for EED officers in protected areas, every location had at least one officer from each Directorate note that it was 'extremely dangerous.' This speaks to the wide variety of different roles, activities and situations upon which the Branch's work touches.

Additional analysis and officer quotations allows for some of the following insights:

- Anecdotally, officers stated that a large reason why they ranked Arctic and marine environments as high as they did was largely due to OHS risks. The three remaining locations are reservations (First Nations reserves), rural, and forests.
- Officers noted that it is not uncommon for people in rural and forest locations to have access to weapons. Moreover, access to backup and effective communications is difficult or non-existent in those locations.

### The Enforcement Branch's challenges on First Nations, Metis and Inuit lands

Respondents were sensitive to the challenges of working on First Nations and Inuit land. The overwhelming majority of, if not all respondents provided some historical context with their answers, noting the historical sensitivities of the issue.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Respondents noted that they lacked adequate cultural awareness and direction as representatives of a governmental enforcement arm and it was not unreasonable for First Nations peoples to distrust EB officers. Officers were emphatic that work would not be possible without the cooperation of band leadership and noted the importance of developing relationships between EED and First Nations clients. Officers also noted that First Nations and Inuit communities were distinct from each other; every First Nation had its own unique history and leadership structure. Agreements between First Nations and Inuit and the EB are of an entirely different nature than MOUs with the RCMP or negotiating with a CEO.

When responding to the work that was done, survey respondents stated that *First Nations reserves* were difficult grounds on which to perform work due to inadequate training and protocols for engagement. Officers noted that different perceptions of the government and law enforcement led to increased tensions while conducting inspections on First Nations land. Different cultural perceptions from different historical backgrounds could lead to differing views on a similar issue.

One EED officer noted that they would avoid reserves where possible. The officer stated that it was possible to do the needed work, but the additional challenges in working within the required structures, combined with it being a very risky situation, made it easier to just work on other files.

One officer expressed frustration when discussing the challenges regarding First Nations people and working on reservations. The officer was emphatic that with proper training, time and sensitivity to conditions, working on reservations was extremely safe. The officer argued that many of the challenges EB has on reservations were self-inflicted; a lack of training, patience, and EO self-awareness could escalate a situation beyond an EO's control. Other interviews do not dispute this view. For example, some officers noted a 'call ahead' policy with First Nations land which led to a greater emphasis on compliance rather than investigation. Viewing cooperation and advance calls as a limitation to officer ability to work speaks to the three points noted above: a lack of training, patience, and understanding on the part of some EOs.

***Deduction 3.1 - Identify and develop officers within the Branch whose primary role will be to liaise with First Nations peoples. These officers will be responsible for work on First Nations reserves and display the appropriate cultural awareness and sensitivities this requires.***

### 3.5.2 Perceived Risks

EB respondents face a wide threat spectrum when doing their jobs. Threats are grouped into the categories of either an environmental or a human source.<sup>5</sup> This section examines only interview content and does not corroborate it with other data. It focuses on the EO perspective.

#### 3.5.2.1 Environmental

Environmental threats in this case are threats that occur from non-human sources. This report considers three different categories of threats: environment, wildlife, or industrial.

#### Environment

*Environment is a significant source of risk for EOs, especially as EOs work in remote locations.*

Enforcement Branch officers work in every single one of Canada's environmental settings. Some create challenges for officers:

---

<sup>5</sup> This section examines only the external threats to officer safety. Internal factors exist that do not effectively protect officers and these are examined in Chapters Six, Seven and Eight in this report.



#### Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- Working in marine environments (around streams/ rivers, lakes, or open water) are high-risk environments because they are on the water. Two officers independently noted, that “when things go bad, they go bad quickly on the water.”
- Cold and winter weather conditions create other challenges including poor driving conditions, equipment malfunctions (such as batteries), or ice. Officers in both Directorates spend a significant amount of time driving and winter weather can make this difficult.

Sixty-two officers noted they work in the extreme environmental conditions of the Canadian Arctic. The extreme cold combined with the remoteness of locations creates a significant problem for officers.

- When working in remote communities, officers may be several hours away from Branch support.
- The extreme cold affects officers’ ability to communicate; cellphone batteries die and it is hard to unlock a phone with cold fingers.
- “When working in an arctic environment, there is little room for error. The number of risks is lower but if something goes wrong, you’re on your own.”

Importantly, threats from the environment are often exacerbated by the remote nature in which they occur. Officers working far from support with inadequate communications (documented in chapter six) elevates the risk to officers.

#### Wildlife

While in the field, the most commonly cited wildlife danger is bears. The presence of bears was widely cited within the interviews as the primary wildlife danger that officers faced when in the field, especially when in remote areas.

Officers also encounter dangerous exotic animals, in particular reptiles, while working. One officer confiscated a python on his/her job. Another officer noted that that he/she had to inspect an imported snake but the airport did not have the facilities to do this effectively. As a result, the officer had to travel to the animal’s destination to do this safely.

***Deduction 3.2 - Ensure officers have adequate access and regular training on the employment of wildlife-protection equipment. (i.e. Shotguns with lethal or non-lethal slugs)***

***Deduction 3.3 - Ensure officers are properly trained, receive refresher training and have access to proper equipment if handling dangerous exotic animals.***

#### Industrial

Officers voiced a variety of views on the threats posed at industrial sites. Experiences on industrial sites ranged from extremely safe to extremely dangerous. Officers often stated they were in a highly-controlled environment which, generally speaking, is quite safe. Officers nearly always receive health and safety training upon arriving on site. Given that many of the sites are highly-regulated workplaces, they note that dangers can be kept to a minimum.

However, this is not universal. Several officers noted unique challenges that occurred while working in specific locations:

- The presence of sour gas (H<sub>2</sub>S),

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- Inadequacy of health and safety preparations. Some industrial sites will have equipment and material not familiar to the officer and
- Some officers work at heights with chemical vapours in their faces.

***Deduction 3.4 - Ensure time is available to use a risk-based approach to prepare officers for the specific conditions they face in their jobs, especially in an industrial setting.***

***Deduction 3.5 - Use intelligence and interagency cooperation to better assess dangers in industrial settings.***

3.5.2.2 Human – Clients

WED and EED officers routinely interact with their regulated communities (also known as clients). This section examines the interactions between EOs and four different client groups:

- Hunters
- Farmers
- Fishermen (not identified prior to starting the study)
- Sovereign citizens (not identified prior to starting the study)

Generally, officers tended to agree that the highest-risk interactions with clients came from interactions where an officer:

- Enters onto a client's land who felt the officer did not have the right to conduct work in a situation.
- Is in a position where he/she could impact the client's way of life through either fines or restrictions.
- Encounters an individual with criminal history.

While any situation has the potential to escalate and officers must remain vigilant at all times, these situations appear to hold the greatest potential for unexpected escalation.

Deliberate operations with known clients present the greatest opportunity to reduce risk exposure to EOs. With the proper preparation, good intelligence, and a better understanding of the operational environment, an EO can better understand how to approach a situation, request support, and transfer danger to another organization.

***Deduction 3.6 - Support EO safety through better intelligence processes to support their ability to understand a situation prior to arrival.***

Hunters

WED officers routinely interact with hunters during hunting season. This includes checking permits, kill limit, and ensuring that mandate legislation is not broken. Most WED officers stressed that most hunters are compliant and present no problems. One officer referred to many of the checks as "an opportunity to stop and say hello", emphasizing the non-confrontational nature of interactions with hunters. However, WED officers stressed that hunter checks were difficult and unpredictable situations due to:

- The random nature of patrols meant an unpredictable environment,

#### Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- Isolation from other organizations or partners,
- Prevalence of weapons,
- Hunters tend to outnumber the officers checking them, and
- Limited or no access to CPIC checks in in remote locations.

Officers brought up specific examples of incidents where they checked hunters acting illegally:

- Drunk hunters. Intoxication increases the potential for escalation due not only to the nature of alcohol but that it is a citable offence.
- Hunting groups on illegal night hunts.
- Unlicensed guides leading hunting expeditions.
- 'Rural surveillance.' This is a joint operation with US to monitor hunters illegally crossing the border. EOs consider this a high-risk takedown as hunters cross the border illegally, hunt illegally, and carry weapons across the border illegally.

Several interviewees stated that members of organized-criminal groups enjoy hunting. While not illegal, a uniformed EO interacting with these people can create extremely volatile situations.

WED EOs generally stated that interacting with hunters is a core component of the job that the majority of the time is problem free. However, interactions with hunters were frequently cited as situations that could become extremely dangerous and unpredictable in a matter of seconds. Officers cited that "you never know who you'll come across" in a given day, and it is difficult to plan for this part of the job.

#### Farmers

While similar percentages of EED and WED officers stated they contact farmers, the monitoring and inspections of farmers falls largely on EED officers. EED officers noted that interacting with farmers was one of the riskiest activities they undertook, specifically because EED officers interact with a farmer's business and livelihood. This results in an unpredictable situation.

New and stiffer regulations mean that interactions with farmers have the potential to escalate quickly. One officer stated that minimum fines can run as high as \$100,000 for offenders, an amount that can cripple a business. This is compounded by the fact that officers are on the farmer's land (and sometimes in his/her house) and that questions of EED authority and legitimacy can come up.

One officer recounted the following anecdote:

*"An officer and I were serving a summons to an individual. The individual's wife had left him the week before, he had just declared bankruptcy, and now officers show up to deliver a summons. He went upstairs to get paperwork. I remarked to my other officer that "I hope he's not coming back with a rifle." The individual was clearly in a place of having nothing to lose. Ultimately, the farmer was compliant and there were no problems, but this was a huge safety risk in terms of having no clear understanding of what the threat was."*

These types of situations are extremely dangerous to police officers. Cadet police officers receive special attention to these situations during training due to the danger posed to officers from allowing an

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

individual to go unattended into a different location. Improvements in training and the use of intelligence in mission preparation will directly improve EO safety to avoid similar situations.

***Deduction 3.7 - Institute a standard set of background checks and intelligence measures to improve officer safety when conducting inspections or delivering summons on farms.***

***Deduction 3.8 - Ensure basic training includes situation control, appropriate behaviour and defensive posture when entering the residence of a person, particularly when that individual has access to weapons.***

Fishermen (not specifically identified in the study)

Upon beginning the survey, it became apparent that EOs interacted with fishermen on an ongoing basis on the coasts. Respondents who conducted inspections upon fishing boats noted the following physical indicators of potential problems:

- Tools that can be repurposed as weapons are always present on fishing boats (knives and machetes are required implements on boats and fishing boats often have a long-gun to shoot at seals to keep them away from salmon nets).
- Confined spaces with little area for retreat.
- One member of the team often remains on the EB's boat, meaning that fewer individuals are available for enforcement duties; generally, there are more fishermen than officers on board a boat.

Attitudes towards EOs on the coasts and in fishing villages are complex. As in the previous example, EOs can act in ways that impact fishing villages and from the client community's perspective, needlessly alter the lives of inhabitants. One officer stated that DFO officers are not well received in fishing villages on the west coast; people feel that DFO is a direct threat to their culture, their way of life, and their livelihood. Illustrating the dangers faced when investigating illegal fishing activities, several DFO officers were fired upon by people illegally harvesting clams near Nanaimo. It is both a politically and emotionally charged issue. DFO and EB EOs represent different agencies but members of the public do not always make this distinction. One EED officer recounted when he/she and another officer were mistaken for DFO agents on the coast and threatened.

***Deduction 3.9: Strategic communications messaging directed toward understanding of the need for the laws and regulations being enforced by EB should be planned and effectively disseminated in regions where EO's could be at risk.***

Sovereign citizens (not specifically identified in study)

Enforcement Branch officers' work in remote areas brings them into contact with individuals who reject the authority of the state. These movements have a variety of names, but officers most commonly referred to them as *Freemen on the land*, or simply *Freemen*. Loosely speaking, Freemen believe they are governed by natural laws and the imposition of state laws is an undue restriction on their freedom. This causes specific issues when interacting with law enforcement; Freemen take a naturally hostile approach to authority. Moreover, "one of the tenets of the Freeman-of-the-land movement is an unrestricted right to possess and use firearms." (Moore, 2013) To be clear, this holds no basis in Canadian law.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Interactions between EB officers and Freeman escalate quickly as Freeman do not recognize the authority of the Enforcement Branch over their activities. When this occurs in rural and forested areas, it is not uncommon for Freeman to also be armed. This creates a collision course between the officer and Freeman; the officer does not necessarily know that an individual subscribes to these beliefs until after an introduction or a confrontation has escalated.

### 3.5.2.3 Criminal

EB has extensive contact with criminality while enforcing its legislation. This includes both people breaking environmental legislation and people who are breaking other laws who also contravene environmental legislation.

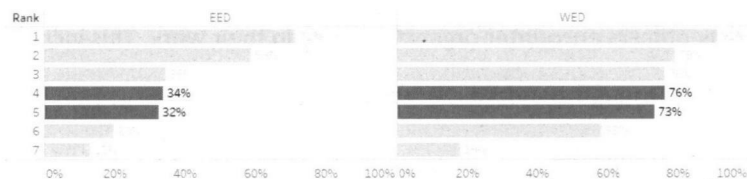


Figure 13 - Rank 4 and 5 (dark green) The percentage of EED and WED officers who perceive organized crime (top highlighted) and lone or individual criminals (bottom highlighted) as a threat agent.

One WED officer noted a significant difference pertaining to enforcement and compliance between WED and EED. The officer noted that few people contravene EED law because they want to; mostly, they contravene it because they do not know or cannot comply. For example, installing a new gas tank can cost in the tens of thousands of dollars, a prohibitive amount for a small business. However, many of the people who contravene WED legislation, in particular the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA),<sup>6</sup> generally set out to do so. This includes activities like animal trafficking or night hunting tours. The perceptions of EED and WED officers bear out this observation. WED officers view organized crime and lone/individual criminals as a threat risk that is roughly twice as prevalent as EED officers.

When responding to this question, several officers noted they did not know their clients were involved in crime until after the fact. This lack of advance knowledge adds significantly to the threats faced by the EO.

Chapters six through eight identify shortcomings in the training, intelligence, interagency cooperation and management processes which increase EO risk exposure. By addressing these challenges, EB can support EO safety in the organization.

<sup>6</sup> WAPPRIITA applies to the following animal and plant species:

- Species on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) control list;
- Foreign species whose capture, possession, and export are prohibited or regulated by laws in their country of origin;
- Canadian species whose capture, possession, and transportation are regulated by provincial or territorial laws;
- Species whose introduction into Canadian ecosystems could endanger Canadian species.

The Act forbids the import, export and interprovincial transportation of these species, unless the specimens are accompanied by the appropriate documents (licenses, permits). In all cases, the Act applies to the plant or animal, alive or dead, as well as to its parts and any derived products.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

### Lone or individual criminals

Officers described a wide array of contact with lone or individual criminals. This includes people involved in non-violent crime, such as fraud, or persons that have records for violent crime such as assault, assault on a police officer, or domestic abuse. One officer noted a significant crossover between animal crime and petty crime, such as break and enters. Many noted that a willingness for individuals to become involved in animal crime signified a willingness to become involved in other types of crime. One officer recounted how he/she seized an illegal python from an individual. During the seizure of the python, the officer stated officers saw hard drugs on the table.

### Organized crime

Many officers encounter organized crime in their work. This includes in the following ways:

- Through standard enforcement
- Trafficking
- Additional activities of organized crime

The perceptions of the danger of organized crime suggests a confused picture of the threat organized crime plays to the organization.

When EED officers were asked if they had a fear of organized crime, roughly 50% of respondents from the Executive and Management levels stated they did. However, only 18% of enforcement officers stated they had the same fears. Only 11% of intelligence officers, whom we would expect to be roughly equivalent with management stated they had a fear of reprisals from organized crime.<sup>7</sup> When starting this study, The Northgate Group was informed the Enforcement Branch did not view the role of intelligence as one to provide insight into threats and risks that officers faced. This could lead to the observed difference in perceptions and it underscores the fact that EB is not an intelligence-led organization.

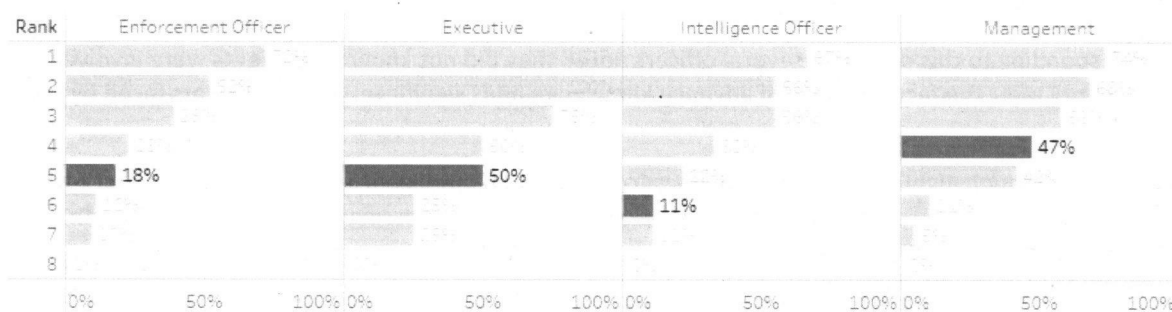


Figure 14 - The breakdown by position of whether or not individuals feared reprisals from organized crime.

<sup>7</sup> While this question was worded as fearing reprisals from organized crime, it should be viewed in a broader light. Although interactions with organized crime presented a higher risk for the officer; interviewees were worried about a variety of different issues.



## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

There may be a variety of reasons why intelligence resources are not shared more widely; for example, management's and the executive's view over the organization may provide a better view of the threats faced by the organization. Also, fears of organized crime may be misplaced (by either the front-line officers or management/executive) or there could be a failure to communicate the realities of threats and risks to the front-line officers. Whatever the cause, an improved ability to communicate and share threat intelligence and perceptions between front-line officers and management/executive will lead to a better ability for officers to protect themselves. It is also possible that supporting partner agencies may not have an effective way of processing intelligence so that it can be shared with front-line EB officers without compromising the sources of that intelligence. This would have to be done in the manner of the Integrated Terrorism Assessment Centre (ITAC) which routinely processes a range of intelligence products and processes them for partner institutions such as members of the Canadian security intelligence community, provincial emergency authorities, first responders and the private sector.

### Standard enforcement

As mentioned previously, members of organized criminal structures hunt recreationally while breaking no laws. One officer noted that he/she did perform hunting checks and it was later determined the people this individual was checking were members of organized criminal structures. The officer did not mention that he/she had any problems with compliance on the clients' part and indicated checks generally go smoothly. However, this illustrates a clear threat to uniformed officers interacting with potentially violent individuals.

### Trafficking

WED officers noted that wildlife trafficking was the 3<sup>rd</sup> most lucrative illegal activity in the world with potential for sizeable profits. WED officers noted some of the following areas of concern regarding the trafficking of animal parts:

- Bear bladders for traditional Chinese medicine
- Ivory from narwhales or walrus in the Arctic
- Export of pelts, in particular polar bear pelts

In addition, multiple officers noted that anecdotally there was a large overlap of drug and animal trafficking. As in the previous section, if an individual has no compunction about illegally trafficking animal parts, there is little to stop him/her from trafficking drugs as well. In the same regard, depending on the substances being trafficked, it is possible for organizations to use the same trafficking infrastructure to move both substances simultaneously.

Multiple WED officers also referenced the seizure of goods from suspected Mexican cartel members. The suspected individuals had been hunting in the Arctic and were seeking to return with trophies. Officers stopped the individuals at the border, they were arrested and their trophies confiscated.

### Additional areas of organized crime

EB legislation also has touch points with other activities that involve organized crime.

One EED officer noted that the illegal disposal of hazardous waste was of interest to organized crime. Another officer recounted an example of discovering an organized criminal ring that was disposing of hazardous waste. This was communicated to the region, however, the officer noted that he/she believed the case was eventually discontinued; the reason given was that it was too dangerous due to the links with organized crime.



## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

The work of the EB in seaports is another area of contact with organized crime. (Standing Senate Committee on National Security and Defence, 2007) One officer described the following example:

*Several officers and I were doing surveillance at and monitoring stevedores from a distance. We were sitting in a car from several kilometers away just watching. There was a knock at their window.*

*"What are you doing?"*

*"We're monitoring some stuff down at the harbour."*

*"I'm one of the guys you're monitoring; I suggest you get out of here."*

Although the officers left without incident, this raises two specific concerns. Whoever knocked on the window had the resources to understand they were being monitored and the capacity to send an additional individual to that site to communicate his or her displeasure. In addition, this was a clear attempt to intimidate federal officers doing their jobs.

**Deduction 3.10** - Officers do not fully utilize MOUs with partner organization for investigations that involve organized crime.

### Dangers from human assaults

Some officers reported being assaulted during their work. Both Directorates have rates that are similar in terms of being assaulted or threatened with a weapon while on the job.

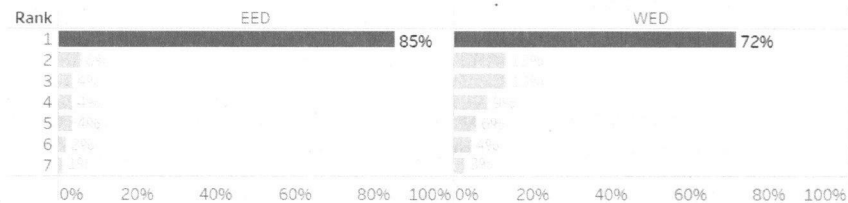


Figure 15 - Respondents who stated they had never been assaulted or threatened with a weapon in the course of their work.

In context, this helps to identify the rates at which individuals are threatened in the course of their work. According to the responses, WED officers more commonly face threats and assaults from individuals with weapons. The data does not differentiate between threats and actual assaults.

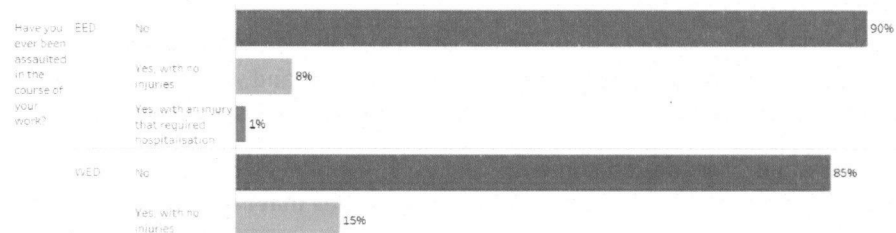


Figure 16 - Respondents' answers to question of if they have ever been assaulted in the course of their work.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

One observation apparent in the interviews was a repeated concern for the potential for assaults and dangerous interactions.

*People are people – you never know how they're going to react. A 'low-risk' situation can quickly escalate.*

Some officers noted the seeming disparity between how officers perceived the danger in their jobs, and the reality that there had not yet been an incident that cost an officer his or her life since the creation of WED and EED. They believe that the danger to their persons could not be accurately assessed via the number of incidents or injuries that had occurred.

The research team had difficulties truly assessing the level of danger that officers faced due to a number of aspects that will be covered in chapters six and seven, but they include:

- Insufficient training for all officers to effectively identify and evaluate a situation for appropriate threats
- Insufficient intelligence to effectively prime officers to the risks they will face
- Insufficient policies to allow officers to come forward with questions and concerns
- Improper work practices which directly lead to dangerous situations
- Insufficient documentation processes (reporting) to better understand the organizational threats officers face

Officers perform basic law enforcement work which carries inherent risks for which they must account. The EB must ensure that officers are enabled to properly prepare for, identify, assess, deal with and finally report on those risks while staying safe.

### Preoccupations with specific partner organizations

Officers brought up specific concerns about some Territorial Wildlife Officers. Stating issues around hiring practices for the Territorial Wildlife Officers exist, which puts EO safety at risk. Officers cited that some Territorial Wildlife Officers are not fit for this specific position specifically because they have pending charges or criminal records. This impacts the trustworthiness of specific, unqualified territorial partners in these regions. EB has trouble partnering with those organizations because they are not confident information will remain within the organization.

## 3.6 Assistance between law enforcement bodies

Enforcement Branch officers rely on support from internal and external law enforcement bodies. WED officers demonstrate a far higher level of interaction with other law enforcement bodies than their EED counterparts.

### 3.6.1 Support for sister directorates

Officers from both directorates stated they provide and receive assistance to their sister directorates. Anecdotally, support is largely not enforcement-related in nature; officers often recounted supporting in search warrants, with driving/travel needs or other situations where "another pair of hands" was needed. Officers from both

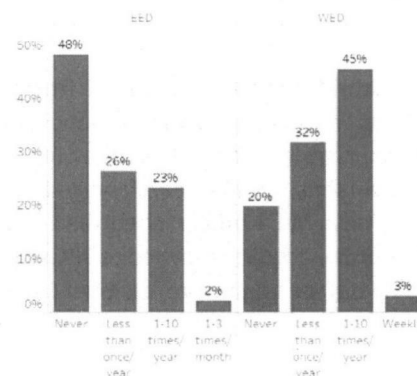


Figure 17 - Officers stated support to their sister directorate.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

directorates noted they worked on files together when appropriate.

Several WED officers stated they would not ask EED officers for support in any enforcement activities as EED officers were not equipped with the tools to provide the necessary support to WED officers if it were required.

### 3.6.2 Support to armed law enforcement agencies

Respondents noted that external armed law enforcement bodies require the assistance from both EED and WED, although the rate of support that WED provides to other armed law enforcement agencies is far greater than it is for EED.

Both directorates appear to assist other federal agencies more than provincial or territorial counterparts, although this is not a concrete rule. As a general trend, this consists of RCMP, DFO, and CBSA. Much of this appears to be non-enforcement in nature, especially on the EED side.

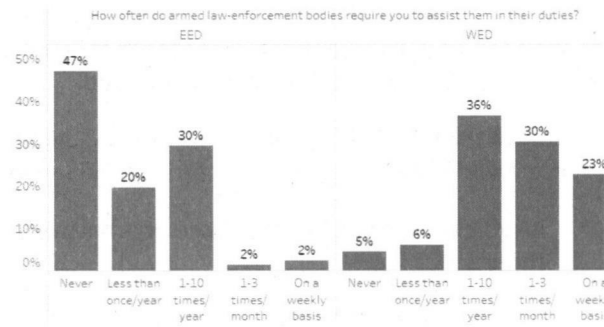


Figure 18 - Officers' perception of how often they provide support to other armed law enforcement bodies.

### 3.6.3 Support from armed law enforcement agencies

WED also requests far more assistance from armed law enforcement agencies than does EED, both in advance and after arrival.

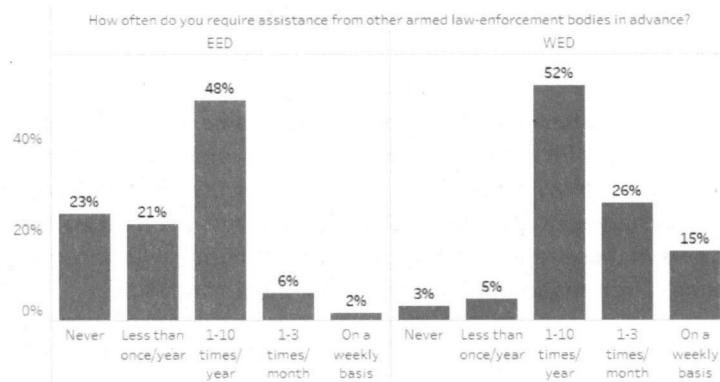


Figure 19 - The rate at which officers request assistance from other armed law enforcement bodies in advance.

Both directorates require assistance from other armed law enforcement bodies in advance. EED often requests additional support for situations that could become dangerous. Officers noted that they request support in some of the following situations: access to remote areas, notice, interacting with high-risk persons, serving search warrants or summons, or in cases where there is reason for heightened risk awareness. WED officers identified fewer cases, but also noted they would notify other agencies to: provide notice, acquire knowledge/intelligence about the area and inhabitants, perform particularly high-risk work, or to give professional courtesy that they are working in the area.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Officers noted that planning is crucial for providing additional support from law enforcement agencies. To acquire support, it was important to reach out several days in advance. Other agencies have their own work to do and are often not able to respond quickly to requests if they are needed. This is especially the case when requests are last minute in remote areas. This can impact officer safety if insufficient planning results in an inability to request officer access.

Officers also noted they would call for backup occasionally. Although the research cannot confirm how often this would occur, anecdotally officers would withdraw and await backup before returning.

The data shows that EED officers request more assistance than they provide. However, WED is in reverse, and they likely provide more assistance than they request. This is likely since WED officers carry a sidearm and can provide more support to law enforcement agencies when required.

***Deduction 3.11 - Ensure EED and WED officers obtain the support required from local law enforcement bodies.***

### 3.7 Response time in case of emergency

Response times in cases of emergency varied widely depending on the officer and location of the call. When officers are in remote regions, they generally have a longer wait time if they require assistance in an emergency. Data for both EED and WED officers suggests that if officers require armed backup, it is either on its way within 20 minutes or it will take longer than 90 minutes to arrive.

As noted in the charts on pages 11 and 12, the officers tend to view isolation as a primary cause of many of the threats they face.

***Deduction 3.12 - An improvement in EB intelligence capabilities could decrease the risk exposure faced by EB officers.***





## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

### 4 Operational activities

#### 4.1 Introduction

The Enforcement Branch (EB) Enforcement Officers (EOs) conduct operations to fulfill their mandate. Chapter 5 reviewed the conditions, hazards and threats that EOs face in their work. In the realm of Risk Management these issues, and loss exposures (Money Control, 2017) are considered *hazard risks*. As with every organization that conducts operations where there is a combination of people, processes and technology there are loss exposures due to *operations risk*. This chapter will focus on the operations conducted by EB and identify potential loss exposures in the conduct of operations, operational processes (including the use of intelligence and technology), EO training and the means and tools provided to assist EOs.

The 2011 Auditor General's (2011 AG) report clearly states EB's inability to conduct operations to fulfill its mandate. This report also referred to a 1998 Standing Committee that stated the same.

Since the 1998 Standing Committee Report, the different versions of the Environment and Climate Change Canada have taken steps to address the shortcomings. The position of a CEO was created and the creation of the Enforcement Branch with two distinct Directorates also occurred. However, the AG report notes the following:

*Despite these improvements, we found that the Department has yet to address some significant shortcomings, such as:*

- regulations that are difficult to enforce,
- inadequate to inform enforcement planning and targeting, and
- inadequate training to support enforcement officers....

*Two of these shortcomings were identified over a decade ago. The May 1998 report of the Parliamentary Standing Committee on Environment and Sustainable Development identified a need to rewrite regulations to ensure that they are enforceable. It also identified the lack of a comprehensive intelligence gathering and analysis capacity at Environment Canada. (Office of the Auditor General, 1999)*

At the time of this report and based on TNG analysis, it seems that despite some initiatives, the challenges in better intelligence to assist in planning and targeting operations and offering adequate training required to enforce their mandate mentioned in the reports cited above still persist. Turnover of key personnel, evolving mandate and lack of clear priorities are undoubtedly key factors to this lack of marked improvement on these files. However, a 19-year challenge, from the 1998 House of Commons report until the time of the writing of this report would suggest major cultural systemic issues such as lack of a clear mission and mandate, an organizational vision and leadership buy-in.

Our assessment identified four key areas where EB leadership can focus their efforts to address the shortcomings identified in the reports. These would also mitigate operational risks:

1. improve the intelligence framework to better prepare EOs;
2. implement reliable communications to allow for efficient two-way communication;
3. ensure proper training to accomplish the mission, operate equipment and provide for officer self defence and first aid; and

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

4. procure and deploy appropriate equipment required by the officers.

ISO 31000 on Enterprise Risk Management describes five Risk Treatment Techniques that EB leadership could also consider and depending on the type of operation and the client, when they can be applied to EB Operations.

1. Avoid Risk. Given the EB Mandate to enforce, outright avoidance of the risk is not acceptable. The “costs” of doing nothing would mean failing to meet the mandate. Management must however determine how much risk should be placed on officers before the costs of action outweigh the benefits of action. This provides a clear line for when an EO is to cease activities on a file as the risk becomes too great to justify attempting to fulfil the mandate. An example of this may be to cease operations when it becomes clear the adversary is linked to an international criminal syndicate.
2. Modify Likelihood or Impact of Risk. When conducting operations, EB leadership should take measures to reduce the likelihood of loss before deployment. These measures should plan and prepare the officer to mitigate risk to reduce impact once the operation starts.
  - a. Reduce likelihood – The aim is to prevent loss through processes, training and technology. For example, improved EB use of intelligence assessments or more thorough CPIC preparation would reduce the likelihood of officers being caught unawares on mission.
  - b. Reduce impact – The aim is to reduce loss reduction or manage consequences. For example, the ability to call prepositioned backup would reduce the wait time for officers if something went wrong. Another example is OHS training to reduce impact in the case of an environmental emergency.
3. Transfer the Risk. There are some circumstances, based on intelligence or resource pressures when executing a contractual transfer or risk sharing (outsourcing) would be wise. An example would be the use of other law enforcement agencies when the risk is considered high enough that an armed presence is required, such as the presence of organized crime.
4. Retain the Risk. Once the risks are mitigated through improved everyday operations and processes, routine operations will still have a residual risk for which officers can be trained.
5. Exploit the Risk. Some risks can be used to create momentum for change that will lead to improved organizational efficiencies. During the study it also became clear that the non-compliers and clients were encouraged to exploit the lack of EOs in the EB by breaking laws when they judged the risk was lowest of being caught. Reviewing the operations process, EB could implement new inspection and investigation methods to proactively address this perceived shortage. EB could also increase reliance on intelligence as a force multiplier in the field, devoting resources to improve the work of individual EOs.

Crucial to understanding the operational risk an organization faces is analysis of the organization's mission. Without this analysis it is impossible to evaluate the degree to which successful OE activities contribute to the organization's overall success. However, other than the mandate and role for ECCC and a brief description of the Enforcement Branch there is no clearly stated mission or vision statement. At the department level in the ECCC Departmental Plan 2017-19, the Role and Mandate section states “the enforcement of rules and regulations”. (Environment and Climate Change Canada, 2017) The closest statement to a mission statement for the Enforcement Branch is on its website: “Enforcing laws

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

that protect air, water, land and wildlife". Using this as a mission statement, we can deduct that the Enforcement Officers cannot do this mission without going out and interacting with a broad range of regulated persons and organizations. As a result, operational risk is largely based on how prepared the officers are when they embark on their task and on the EB support provided before, during and after.

### 4.2 Conduct of Operations

*A discrepancy between HQ and regions in the conduct of operations and priorities leads to lack of control and accountability. The result is additional risk exposure to EB officers and liability for HQ.*

EB operations seem mostly conducted in a decentralized fashion and directed by the Regional Directors (RD) without much central oversight. Contrary to the 2011 Auditor General's report (Environment and Climate Change Canada, 2011), the author did not identify any evidence of EB applying a "rigorous risk-based approach to enforcement planning, where threats and risks to the environment and human health are factors in priority decision making". While EB provides national priorities and some direction, the research team's impression is that RDs conduct operations as they feel is best in their region. While local specificity has local benefits, it is important for all the operations EB conducts to fall under a national plan. National HQ, other than outlining the priorities and allocating resources, does not appear to have real command and control over operations. The priorities outlined in the departmental plan for the enforcement branch are too vague for what is required of operational and tactical direction on the ground.

The 2011 Auditor General's report for the Branch's performance and intelligence framework for enforcement found little improvement from the key issues identified in the 1998 Parliamentary Report. This study notes that there is interest and there are or have been some initiatives but the core issues have not been resolved. Furthermore, given the relatively small number of EOs across the country, the complex mandate and the increased number of prosecutions, the *status quo* cannot be the response. With limited resources and increased mandate, both in tasks and complexity, operations have to be more centrally driven and more targeted.

The research team noted the current leadership is intent on introducing centralized priorities and allocating resources accordingly. This endeavour is going to take strong transformational leadership, more centralized direction and a cultural change. Altering the *status quo* of any organization is a challenging affair that requires strong leadership, sustained engagement, a comprehensive strategy, buy-in and a robust communications plan. As Peter Drucker is quoted "Organizational culture eats strategy for breakfast." (Organizational Culture Eats Strategy For Breakfast, n.d.) If EB is looking to implement significant changes to the organization, rewriting policy is only the beginning of the process.

Given the hazardous environment and the risks outlined in Chapter 5, the Crown Liability for the actions of the Enforcement Officers and limited resources, there is a requirement for a robust Operational Risk Framework to assist senior management in enacting real change.

The following sections will focus on outlining an Operational Risk Management Framework for the Enforcement Branch followed by sections based on the four key areas mentioned above where EB can mitigate its operational risk.

#### 4.2.1 Operational Risk Management

*EB does not appear to have instituted an operational risk management methodology for the conduct of their operations. As a result, EOs have an increased risk exposure.*



## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Operational risk is described by the Basel Committee on Banking Supervision as "the risk of loss resulting from inadequate or failed internal processes, people and systems, or from external events. As such, operational risk captures business continuity plans, environmental risk, crisis management, process systems and operations risk, people related risks and health and safety, and information technology risks." (PricewaterhouseCoopers, May2017)

Therefore, managing operational risk requires clearly understanding systems, processes and people in order to prevent failures that may lead to costly damage to finances and reputation.

EB operational procedures and ensuing operational risks to which the EB and Enforcements Officers are exposed have to be determined if the EB is to ensure a strong Operational Risk Management (ORM) process is in place. Observations and comments in this chapter will be based on the theory of operational risk management, interviews from Enforcement Officers, HQ staff, reports and readings from best practices on managing operational risks.

As EB conducts operations on a daily business, has a high operational tempo, and deploys its officers into hazardous conditions to accomplish a task, the evaluation of the ORM for EB is crucial. Chapter five of this report identifies and reviews threats and hazards that EOs face in the conduct of their jobs. Chapter six identifies ways in which EB can mitigate them by preventing and reducing the threats EOs face through an improved operational framework.

***Deduction 4.1: A managed Operational Risk Management framework could assist in mitigating the risks EOs face in the conduct of their tasks.***

### 4.3 EB Operations

*The majority of EB operations are not intelligence-led operations.*

*Appropriate risk-mitigation methods are not being applied to **avoid, modify, transfer or exploit** the risks EB and its officers face.*

Before offering mitigating strategies for operational risk management, it is important firstly to establish what the research team understood during their time with EB. According to the CEO, the present operations tempo of EB is 40% proactive, (planned or deliberate), 40% reactive (unplanned or opportunity based) and 20% routine maintenance. This means only 40% of EB work is intelligence driven. EOs prepare for their intervention and potential eventualities, the operations manager monitors the ingress and egress of the team, and a report is submitted after the action is completed. Reactive operations are unplanned targeted tasks which may occur during a sweep of an area searching for "targets of opportunity." An example of a target of opportunity is a WED officer's activities during hunting season or EED officers on coastal patrol reacting based on their mandate with no clear idea of exactly what they will encounter on mission.

For both of these types of operations there are clear ORM components of Risk Mitigation that should be applied to reduce the risk of loss resulting from inadequate or failed internal processes and systems, human factors, or external events. The research team heard many examples of EOs entering into situations without situational awareness, much knowledge of the area or of the regulatee; this is a clear indication that Operations Risk Management for EB could be improved.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Whether it be proactive or reactive, pre-intervention preparation and planning should be institutionalized. Therefore, regardless of whether the operation is deliberate or reactive, the team should have a Concept of Operations<sup>8</sup> (CONOP). The purpose of the CONOP is to ensure that the officers conducting an operation have a plan that is supported and known by all. This would help prevent and reduce risk exposures. Recognizing the importance of team cohesion, law enforcement agencies are more frequently adopting this practice. In order to be effective, a good CONOP should be derived from intelligence (where applicable) and include the following aspects:

- specify the mission or task to be completed,
- describe the situation and including details on the regulatees and supporting organizations
- specify the intent, the way, methodology or scheme of the planned manoeuvre,
- identify each person/entity's specific tasks,
- identify the chain of command
- provide all administrative and contact details as required
- coordinate instructions (timings, places, routes, radio frequencies), and
- include details of supporting agencies.

A CONOP can come in a variety of different formats depending on the needs of the team and complexity of the organization, or organizations involved. It can be an informal briefing before a routine operation or it can be in more detail.

***Deduction 4.2*** - An increased emphasis on proactive or "deliberate" planned operations would maximize the use of EB resources, directing them to areas with known, or at least probable outcomes can occur.

### 4.4 Intelligence

The first of the four areas that an EB Operations Risk Management (ORM) process can enhance is the intelligence framework. As was mentioned earlier, too many officers enter situations "blind." Few EOs appear to make effective use of EB provided intelligence resources and many simply prepare their own intelligence. EB, despite senior leadership's intention to improve its intelligence capacity, still has a long way to go to meet their aspiration of being an intelligence-led organization. Bringing that to the level the EB requires will require significant investment.

Intelligence is analyzed information that is used to enable management and HQ to make informed, effective strategic decisions. Intelligence should be used to both provide insight into organizational direction while also providing direct tactical support to EOs to ensure they are aware of and understand the threats they face on their mission. It provides the user with knowledge that affords an opportunity to identify and manage the risk of an undesirable outcome. (Office of the Auditor General of Canada, 2011)

---

<sup>8</sup> A CONOP is a verbal or graphic statement that clearly and concisely expresses what the commander intends to accomplish and how it will be done using available resources. While the term is originally military in origin, it is also used in law enforcement.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

### 4.4.1 Current Intelligence Program

When assessing the operational risk EOs face in the execution of their mandate, the most essential information is the threat identification. The amount of information an officer has before an engagement directly correlates with the officer's ability to prepare for reasonable outcomes when the operation goes live. Therefore, effective intelligence is essential to officer safety and organizational effectiveness. It ensures officers have knowledge of the risk environment before entering a potentially hazardous situation, and also supports an officer's ability to prioritize time and resources.

#### 4.4.1.1 EB intelligence documentation and leadership views

The authors reviewed the 2011 AG report with regard to how the intelligence function has evolved within EB. It states that:

According to the Enforcement Branch, the role of the intelligence function is to

- provide knowledge of events likely to occur by identifying risks;
- enhance information on files, projects, and operations;
- assist in determining enforcement priorities; and
- provide managers with information to allocate their enforcement resources.

In her testimony to the Standing Committee on Environment and Sustainable Development, delivered Tuesday, November 29, 2016, Chief Enforcement Officer (CEO) Margaret Meroni stated the following:

*"We organize that around looking at a risk-based approach informed by intelligence and by gathering information from various parts of our organization, including our officers in the field, to try to determine where there is the highest risk to the environment and where we know there are higher degrees of non-compliance. It is a bit of a balancing act."*

In this sense, the Branch has noted and identified the need to develop a comprehensive intelligence program that can inform decision making and the effective application of resources to ensure they will have the greatest impact. The research team fully supports the statement of the CEO in the use and importance of intelligence within the Branch.

However, this vision has yet to be realized. When reviewing the survey with leadership, one of the comments the team received was that officers may not properly comprehend the question "Does the intelligence you receive provide adequate insight into the threats and risks you face in the carrying out of your duties?" The individual noted that,

*Our Intelligence Service looks at non-compliance risks, not at violence risks.*

The research team notes this is a distinct break from the stated aims of the intelligence to "provide knowledge of events likely to occur by identifying risks." The team agrees that intelligence is crucial to mitigate dangers to EOs via improved preparation for operations.

The current intelligence Directive 3.4.3 in its present form does not address the points mentioned above. It is more informational than a typical directive. It does not reflect the IRP, to be discussed at a later in this chapter, nor is it reflective of an intelligence-led organization.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

EB's potential move to being an intelligence-driven organization has not resulted in clear expectations, policies, procedures, training, and accountabilities for the production and use of intelligence in the Branch. Turnover in the EB's intelligence area has also been significant: according to the Directorate, over the last three years there have been four managers.

**Deduction 4.3** - EB intelligence policy does not line up with HQ's operational direction.

**Deduction 4.4** - EB has not reviewed and modified intelligence policy in such a way that it reflects that of an intelligence-led organization. This was a recommendation from the 1998 Parliamentary Report and 2011 AG Report.

### 4.4.1.2 EO perceptions of intelligence

As detailed earlier in this report, EOs from both EED and WED displayed significant concern and confusion with respect to intelligence. In particular, they had questions regarding the current intelligence process and the value that intelligence provides.

Question	Answer	EED	WED
Does the intelligence you receive provide adequate insight into the threats and risks you face in the carrying out of your duties?	Yes	34%	40%
	Maybe	12%	21%
	No	42%	31%
	I don't know	13%	7%

**Figure 20** - EB responses to whether intelligence provides adequate insight into the threats and risks individuals face in the carrying out of their duties.

Across EB, the organization has the view that intelligence is largely insufficient to meet the threats and risks EOs face while carrying out their mandate. When examining how the organization viewed intelligence by rank (previous page), the results also show a perception across all ranks that intelligence does not adequately provide insight into the threats and risks officers face. This opinion is most prevalent with management. In each section, a large portion of respondents noted they are unsure as to the adequacy of intelligence in this regard.

At the regional level, the intelligence function is not uniform and raises additional concerns. EOs from Quebec appear satisfied with the intelligence provided regarding the threats they face in the course of their work. However, the data suggests the rest of the country perceives the adequacy of intelligence with regards to threats and risks does not, meet their expectations.

Officer comments suggested some of the following themes:

- Officers often produce their own intelligence
- Analysts are often seconded EOs with no additional intelligence training

Question	Answer	Enforcement Officer	Intelligence Officer	Management	Executive
Does the intelligence you receive provide adequate insight into the threats and risks you face in the carrying out of your duties?	Yes	34%	22%	47%	29%
	Maybe	15%	22%	12%	29%
	No	38%	44%	38%	29%
	I don't know	13%	11%	3%	14%

**Figure 21** - EB responses to whether intelligence provides adequate insight into threats and risks individuals face in carrying out their duties, sliced by position.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- Intelligence rarely meets the operational needs of officers
- Intelligence officers are not integrated with the rest of the team and do not understand the operational environment

However, several officers were quick to note that intelligence officers themselves are both overextended and under-resourced.

*One intel person covers half of Canada and is responsible for trends in commercial markets, TRAs, and needs analyses. They are extremely under-resourced.*

Question	Answer	Atlantic	HQ	Ontario	PNR	PYR	Quebe
Does the intelligence you receive provide adequate insight into the threats and risks you face in the carrying out of your duties?	Yes	47%		28%	21%	11%	
	Maybe	16%	67%	26%	10%	8%	
	No	31%	33%	35%	50%	72%	
	I don't know	6%		12%	19%	8%	

Figure 22 - EB responses to whether intelligence provides adequate insight into the threats and risks individuals face in carrying out their duties, sliced by region.

Intelligence officers are also required to do interprovincial/international intel work. This includes creating the target/company profiles and initiating investigations. Multiple officers stated that intelligence officers have too few resources to accomplish their tasks and as a result, EOs needs are not met. For example, one intelligence officer received 124 requests for products over a six-month period, including RFI from international partners such as the US Fish and Wildlife Services. From a basic time-management perspective, this is not something that one officer can accomplish.

Problematically, EB does not always demonstrate a comprehensive understanding of the intelligence process or the capabilities of an intelligence officer. One officer noted that, as he/she saw it, there was a damaged view of intelligence in the organization. He/she notes that a previous iteration of intelligence included simply finding ads on Kijiji for exotic creatures and then forwarding them to officers. This involved no analysis for the officers to use and the officer then had to perform the work of the intelligence officer. Other issues that arose in interviews include the lack of an informant policy and an unwillingness of EB to pay informants.

This intelligence cycle is completed with the consumption and use of the intelligence and a feedback of its value to the system. However, frontline officers noted they had a less than satisfactory integration with the end result of the process. Comments raised the following ongoing themes:

- The perception of an overly bureaucratic intelligence process where the IOs are at a great distance from the EOs consuming the intelligence products
- A one-way intelligence process where the IOs do not, or cannot, request more information from EOs
- An unclear reporting structure

There were also concerns expressed about lack of clarity in incident reporting (oral reports to manager, Hazardous Occurrence Incident Reports, NEMISIS/Gavia entry), CPIC access and obstructive restrictions



Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

on information use, lack of interagency information sharing, lack of proactive and relevant intelligence distribution, intelligence staffing issues and a dysfunctional process for feeding potentially relevant information 'up the chain' to assist in intelligence and policy development.

This situation results in officers relying on contacts in other enforcement agencies. This is not uncommon but more formal information/intelligence information sharing policies should be in place. Some officers are being sponsored to take police officer intelligence courses for their own work although these do not appear to be in accordance with an overall strategy.

***Deduction 4.5 - Officer feedback suggests the need for an overhaul of the entire intelligence process including: setting clear expectations; determining policies and procedures; implementing adequate training; recruiting and staffing the required positions; and ensuring organizational accountability for the use, production and integration of intelligence into the organization.***

***Deduction 4.6 - EB should examine Quebec to determine why officers are satisfied and determine which practices can be expanded across the country.***

#### 4.4.2 Intelligence Renewal Project

Some interviewees showed great interest in the Intelligence Review Project (IRP). There is a clear and appropriate intent on the part of the EB to modernize operational investigations capabilities by prioritizing the role of intelligence.

The three main goals for the IRP, as stated by an intelligence officer, are:

- Increased and improved standardization for intelligence products.
  - This includes between the Directorates to ensure that both sides are speaking the same language
- Improved access.
  - This includes access to training, sources, intelligence products from other agencies and other agencies themselves
- Improved buy-in for intelligence products.
  - Improve the quality of intelligence products and the knowledge among officers as to how intelligence products could benefit their mission

The IRP is a response to the call in the 2011 AG Report to develop clear expectations, policies, procedures, training, and accountabilities for the EB intelligence function.

EB has prioritized work in the past two years to improve its intelligence capabilities via the IRP. Despite this effort, EOs demonstrated little knowledge and understanding of the goals for the IRP. Interviewees noted a general lack of awareness of the IRP and how it was not perceived that HQ viewed this as a priority. Respondents were generally unclear as to the status of the IRP and what it is to provide.

Another indication the IRP is not properly understood and is lack of buy-in to the IRP. The IRP Manager visits different regions to train EOs, which creates a surge in interest in intelligence and the IRP. After his departure, individuals note a return to the previous routine. Additionally, IRP benefits are not known consistently throughout the organization. The IRP has rolled out an intelligence data base called EBSS for



Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

the intelligence community but EOs are largely unaware of its existence or capabilities. Improvements in intelligence enablers, such as i2 and an improved Request for Information (RFI) process are seen in isolation from the overall IRP and are considered bureaucratic hindrances. Without an improved communications plan and demonstrable leadership, the IRP will not achieve its desired results.

Finally, the authors have the distinct impression that EOs view the IRP project as if it was to deliver a tangible product. In reality, the IRP is a vehicle of organizational change; it offers a new methodology and approach to how the organization will function. This should have an important impact on the EB and how it carries out its mandate.

The research team notes that the IRP is currently and by definition, a project. Because of this, no-one has the authority to implement it; EB employees view it as something additional to the organization, not a crucial element of organizational change. As a result, implementation appears slow and buy-in is not organization wide. The authors, based on their experience, believe that altering the IRP into a program with authority could aid the overall development of the program and would motivate executives. Whole- of-organization buy-in as a programme requires a measure of performance with tangible effects. Effective implementation of such a program would aid EB's transformation into an intelligence-led organization.

4.4.3 Use of intelligence assessment in the investigation process (CPIC and NEMISIS/Gavia)  
*EO intelligence assessment tools are not widely and effectively used throughout the organization.*

4.4.3.1 Canadian Police Information Centre (CPIC)

*CPIC does not always meet the needs of the officers.*

*EOs do not all have the training and knowledge to properly incorporate CPIC into their intelligence assessments.*

CPIC is critical for any law enforcement officer's preparation for an intervention. CPIC results provide the first essential piece of information about the regulatee required to build a preliminary risk assessment. This is a crucial step before an intervention occurs. During the research process, the research team had the distinct impression this was not the case. Many officers often access CPIC information while en route to the intervention. Furthermore, a clear majority use a 3<sup>rd</sup> party source outside of EB, often based on semi- or quasi-formal connections, for background information.

EOs stated EB is a second tiered agency which for privacy and security reasons limits the access EOs can receive from CPIC. As a result, the information that EB EOs receive is limited and does not always meet their needs. Multiple officers stated they will rely on informal connections with partner agencies to obtain the information they require via informal connections and local MOUs. Using informal connections is not a problem, and it is common in law enforcement. However, their use underscores that EOs need to ensure they have access to tools to ensure their safety. In addition, officers have limited access to CPIC while out of the office; EOs stated their agreement to access the service does not allow them mobile access, forcing them to call a number to obtain information. This is not an ideal situation as the communications capabilities within EB are limited. This is compounded by having no push-to-talk communication system available for the majority of officers.

Multiple officers also stated they had problems accessing CPIC. Several noted they did not have access to CPIC; although one officer stated that it was his/her own lack of attention to the problem. However, this demonstrates that not all officers see the value in CPIC for their work.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Multiple officers noted the challenges they had with accessing and using CPIC. It requires multiple steps which makes accessing the system very onerous and complicated. EED officers in particular noted that because they rarely use CPIC, they are not confident in receiving and interpreting the results. One officer received training for CPIC use, however, he/she is not comfortable reading the results. He/she doesn't have confidence in his/her understanding of the data. Instead, the officer calls partner agencies.

While the officers may receive training but without practice their ability to access CPIC deteriorates.

Multiple officers placed a heavy emphasis on using CPIC while approaching a call or when a car was pulled over and this made the inability to access CPIC on the road a major critique. The research team notes the ability to access vehicle related information is a valued function of CPIC. Since study results suggested that EOs do not consistently use CPIC to prepare for an intervention it suggests a gap in the training process.

***Deduction 4.7 - CPIC should be prioritized within the intelligence branch where possible to ensure proper use, incorporation, and analysis of data.***

***Deduction 4.8 - CPIC's use in the preparation of a case can support a turn towards an intelligence-led organization.***

4.4.3.2 Gavia centralized Information Management (IM) System

*Gavia does not currently meet the needs of EOs from an officer-safety perspective.*

*EB's culture of non-documentation limits the use of a dedicated information-management system.*

EB recently implemented its centralized Information Management (IM) System Gavia. Gavia's primary purpose, as explained to the research team, is to document records of enforcement (potential incidents that fall within EB's mandate). Officer safety information was included in the system, with the intent of providing insight into previous non-compliance issues or past officer safety concerns.

From an officer-safety perspective, EOs largely did not feel that Gavia provided the insight they required to properly assess the situation; officers felt that they did not have enough capability to differentiate between a major and minor incident. Significantly, Gavia does not allow officers to access reports, but instead points the requesting officer to other officers who will provide a copy of the report. This means potentially relevant information is not readily available to them.

Officers expressed discomfort when discussing their own ability to use Gavia. EO training on Gavia had suffered skill fade before the Gavia start date. Many EOs said they had not yet used it and hoped that others work out the bugs before they take the time to learn. Other officers noted stability issues, which caused a decrease in officer use.

The IM initiative challenges are exasperated by the fact that EB has a culture of non-documentation. Instead of filling out reports, which can be referenced in Gavia, for tracking purposes, most officers reported notifying superiors orally or via email. Many officers stated that they had not filed any reports and for others there is a stigma associated with submitting a use of force report. Moreover, EB was not able to provide logs of reports for review in this process, all signs of an organization which does not document properly.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Without reviewing the officer-submitted reports, the research team notes they were handwritten. While they could be digitized, the lack of incident logs left the research team with the impression the reports are not digitized and incorporated into a larger, searchable database.

Overall, these are important considerations, however, it should also be noted that Gavia is a new platform, rolled out on February 1st.

***Deduction 4.9 - Address issues of non-documentation. To ensure EOs are better aware of risks, the Branch may wish to develop and implement a new national standardized procedure for officers to report hazardous occurrences for entry into an accessible database such as Gavia. Improved access to higher quality data will encourage EO use of Gavia and CPIC in advance of in-field operational work.***

***Deduction 4.10 - Encourage and improve EO capacity to search within EB documentation to support officer safety and threat assessments.***

***Deduction 4.11 - EOs do not see how increasing documentation of safety incidents can build up an EB knowledge base on officer safety. This is the responsibility of management to address; this is possible via a dedicated strategic communications program.***

4.4.4 Social media for investigative and intelligence purposes  
*EOs use personal accounts to research clients for ongoing cases.*

While conducting interviews, the research team became aware of the use of social media to provide insight into ongoing investigations as well as provide useful and actionable intelligence for field officers. The study did not plan to examine the use of social media for both intelligence and investigative purposes, but the issue arose during several of the interviews.

Several officers noted they were unable to access social-networking platforms on the work internet connection. However, multiple officers also noted they use social-media to inform their investigations or overall work. This leads the author to suspect that officers were using personal accounts, and mobile devices to conduct research. One officer confirmed this to be the case by stating that he/she used personal accounts to research individuals and acquire information.

Although the extent of use is not clear, the author expects this to be common, if not widespread within EB.<sup>9</sup> This is extremely concerning for officer safety; the use of personal accounts increases the likelihood a suspect identifies the personal account, and therefore, the identity of the investigating officer.

The suspected widespread use of personal accounts is poor practice for the following reasons:

- This inhibits officer effectiveness as mobile platforms are not as information-rich as desktops
- This does not allow for any sort of chain of custody, evidence preservation or movement tracking to save for a later point.

It is understood that in today's world of law enforcement, officers often rely upon social media to support the creation of intelligence products and investigative folders.

---

<sup>9</sup> While not confirmed, there was nothing to suggest that officers used anything other than personal devices and personal accounts at any point during any of the interviews. This is not uncommon within law-enforcement agencies, although it is extremely poor practice.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

***Deduction 4.12 - Better training programs for officers and intelligence analysts can increase the capacity of the EB to rely on social media as a source for information and evidence while also reducing officer risk exposure.***

4.4.5 Exchange of information and intelligence with other enforcement agencies

Another aspect of the Intelligence Review Project that has not been communicated to the EOs are the efforts that have been done to develop legislation and MOUs with partnered agencies. These could also facilitate EB officers in obtaining additional access to information on regulatees.

4.4.6 Intelligence-led agency

The authors are cognizant that EB is not a police service but does aspire to become an intelligence-led organization. Given the law enforcement aspect of the EB, it would make sense that they adopt intelligence-led policing models. Intelligence-led policing (ILP) has its origins in improvements in information technology, pressure for greater managerial professionalization in policing, the growth of serious and organized crime, and the demand gap – the disparity between modest increases in numbers of police and the far greater demands for police service.

*“Intelligence-led policing is a business model and managerial philosophy where data analysis and crime intelligence are pivotal to an objective, decision-making framework that facilitates crime and problem reduction, disruption and prevention through both strategic management and effective enforcement strategies that target prolific and serious offenders.” (Ratcliffe, 2008)*

During the interviews with senior leadership, it is clear that the EB seeks to be an intelligence-led agency. The IRP is a step in that direction. Furthermore, given the fact that the EB has limited resources, it should envisage deliberate operations as the norm with routine operations as the exception.

The key characteristic of intelligence-led policing is the utilization of intelligence capabilities to improve the operational efficiency of the organization. This approach would have multiple positive benefits spread across the organization, such as:

- An improved understanding of the threats officers faced in their work
- Officers devoting more time to high-value targets
- An increased proactive approach towards policing and problem solving
- Greater focus in the organizational direction

During the research process, the research team identified several key areas where operations could be improved by becoming an intelligence-led organization.

Several officers clearly laid out a supporting argument for developing the capabilities of intelligence-led police organization.

*“If we want to go after people who are polluting and know they’re polluting, changes should come. For example, we know sewage companies just dump loads illegally, but we don’t have the resources to begin those investigations.”*

Moreover, officers also implicitly recognize the dangers that reactive situations entail:

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

*"Duty calls, which are becoming more common, carry an increased risk. You're walking into an unknown situation where, especially in cabins, people are armed. On boats, it's the same issue, people have arms, or at least implements, and there is nowhere for the officer to leave. These create odd-ball situations which are the riskiest because they are so uncertain."*

As was illustrated above, the EB should review the percentage of its operations that are proactive and deliberate. Over time, they should reach the IRP goal of a 70% proactive and deliberate approach to operations. This would be a significant step toward becoming an Intelligence Led Organization.<sup>10</sup>

There is an abundance of information and literature on ILP but it is clear that the entire leadership team has to be committed and some form of centralized control is required to ensure the use of resources are prioritized. The following texts outline the criteria for a successful implementation of ILP:

*The key elements of ILP include executive commitment and involvement; collaboration and coordination throughout all levels of the agency; tasking and coordination; collection, planning and operation; analytic capabilities; awareness, education and training; end-user feed- back; and reassessment of the process. Overarching all of these factors are effective information sharing processes. Understanding each of these elements provides the planning, organizational and administrative steps necessary to implement ILP.*

*At its core, ILP helps leaders make informed decisions to address agency priorities. These priorities can include issues such as crime prevention, crime reduction, case management, resource allocation, case clearance, anticipation of future threats, or crime problems. This process provides guidance and support to the agency leader, regardless of the type of priority established. (U.S. Department of Justice, 2009)*

#### 4.4.7 Thematic Deductions for Intelligence

**Deduction 4.13** – *The Branch may wish to turn its Intelligence Renewal Project into a program with a strategic communications plan to be provided to all EOs and followed up by in-field briefings by HQ and local intelligence personnel.*

**Deduction 4.14** – *Establishing a position of Senior Intelligence Director (SID) reporting to the CEO would provide a single focal point for intelligence (INT) within EB. A SID working with the Operations Director, exercising functional authority over all intelligence staff would be an important step towards becoming an intelligence-led organization.*

**Deduction 4.15** – *The establishment of an INT Coord manager to deal with inter-regional and inter-directorate issues, performance measurement and quality control coordinating through the National Intelligence Manager Conference Call. The INT manager would be responsible to strategic INT for both EED and WED at HQ and outreach with other GoC Intelligence organizations.*

---

<sup>10</sup> During discussions with EB, it was noted that many of EB's biggest projects were reactive in nature, such as the Lac-Mégantic disaster. The research team notes that its impression of reactive missions from the interviews were undirected actions with little oversight and use of intelligence rather than an organized reaction to a disaster.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

**Deduction 4.16** - *The Branch does not have appropriately trained and skilled persons active in those positions at both an analytical and managerial level.*

**Deduction 4.17** - *Hiring and training of Intelligence analysts and officers does not appear to be a priority for EB.*

**Deduction 4.18** - *INT analysts and officers do not have any specific mandatory intelligence training.*

**Deduction 4.19** - *Gavia's roll out does not seem to be achieving many positive results and the EOs lack training on it.*

**Deduction 4.20** - *EB's internal reporting and information-sharing procedures do not appear to promote field-officer input of information, requests for information, or ensure distribution of national Intelligence briefs to EED and WED officers and managers.*

**Deduction 4.21** - *EB does not appear to have the appropriate designation (level of access) to CPIC. Giving all EOs CPIC access and ensuring its use is crucial to ensuring advance risk awareness.*

**Deduction 4.22** - *EB officers, both EOs and intelligence officers do not have full statutory authorization to share and receive law-enforcement related information from other federal and local law-enforcement agencies as well as international agencies with whom they work.<sup>11</sup>*

**Deduction 4.23** - *EB HQ and regional officers do not seem to have awareness of, and access to, crucial information-sharing tools that could act as force multipliers in their work. Examples of this include relevant interagency operational resources, such as the Marine Security Operations Centres (MSOC), or digital identity verification cyber security technology.*

**Deduction 4.24** - *There are no operational policies and training for the use of social media that incorporate both intelligence and investigative purposes.*

#### 4.5 Operational Communications

*Current field communications generally meet the needs of officers for routine communications and reporting purposes, but not for emergency communications.*

*Despite investments to improve the communications framework and the importance of reliable communications when conducting operations, there is no operational communications architecture. Training is inadequate for the enforcement officers and there is an extreme lack of confidence in the reliability of their communications suite.*

##### 4.5.1 General

This chapter examines operations and operational risk, and field communications falls into this category. This section provides a general overview of the main emergency communications issues within EB. A key pillar for operational success is robust communications to direct and assure command and control throughout any operation. This is an integral part of any Concept of Operations (CONOP) and it is crucial when conducting operations in hazardous environments. An officer should not have to worry if his/her communications system will function properly in an emergency or if a distress call will be acknowledged.

---

<sup>11</sup> This could occur via enacting amendments to the Environment Canada Act or the mandate legislation such as exists under s. 5 and 13 of the CBSA Act, section 107(3)-(6) of the Customs Act, as well as s. 5 of the Disclosure of Personal Information Regulation enacted pursuant to the Ontario Police Services Act;



## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Directive 4-1-8 in the EOM covers the needs of the organization with regards to emergency communications. The policy has two different aspects included within it:

*To ensure that the Branch has adequate systems and standards to provide for routine and emergency communications for officers working in the field*

*EB will train its officers on the use of systems and monitor use to ensure compliance with this policy.*

This consists of three main components in summary:

*To ensure that EB has adequate systems and standards to provide for routine and emergency communications for officers working in the field.*

*Field communications systems options and national standards to guide regional offices in identifying and implementing adequate regional systems and procedures for field communications.*

*New standards and protocols to provide enforcement officers with proper and dependable communication options to assist officers to deal effectively and safely when performing law enforcement activities and emergency situations.*

Regarding the specific policy, EB flagged this as a 'high' issue in the 2016 EOM. Officers noted EB targeted the policy and its implementation for improvement in the past. However, satisfactory actions had not brought operational realities closer to policy goals regarding communications.

While not specifically included in the survey, officers generally gave the impression that EB effectively provided for routine communications in controlled environments. Respondents were extremely clear that they were hoping the issue of emergency communications would be addressed. It was not uncommon to hear that officers were 'on their own' in the case of an emergency event due to EB's lack of efficient emergency communications. However, interviews clearly showed that EB does not provide adequate means for emergency communications. Core issues that arose in an ongoing basis include:

- Requirement to use a 10-digit login code on emergency contact equipment
- No reliable communications that are waterproof
- No push-to-talk emergency communications
- The main emergency communications tool, a BlackBerry, is not accessible while wearing gloves and many officers require glasses before using it.

EB should note that inadequacy of emergency communications is extremely common and a primary source of officer and manager dissatisfaction. However, most EOs did note the extremely difficult situation that EB was in with regards to officer communication; operating in extremely remote areas across a broad country with a small organization creates basic logistical challenges which require an investment of expertise and funds.

### 4.5.2 Perceived disconnect between operational and managerial levels with regards to communications capabilities

*Officer perception was that HQ did not adequately understand the needs on the ground.*

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

EOs have a wide variety of different technologies available to communicate in a wide variety of situations. EOs cannot use some of these, and they are not all connected to working networks. However, a member of EB HQ stated that EOs have “what they need to conduct their operations, it’s their processes that may need to be modified.” This demonstrates a disconnect between EOs and the HQ; the two entities view the problem as intrinsically different. Field officers view insufficient capabilities as the problem, whereas HQ feels that it is only the processes that need to be addressed.

The research team notes there is an element of truth to both sides; the technical capabilities do not meet the needs of EOs in all situations, whereas the creation and implementation of processes are flawed.

### 4.5.3 Regional Disparity

*Officers stated a wide variety of different systems in place across the country.*

The existence and performance of radio systems varies across the country. Capabilities and training are not equal in all locations, suggesting that different locations have different risk exposure. EOs frequently raised concerns regarding the failure of the Branch to ensure that all officers are part of a secure communications system of the kinds in Alberta, B.C. and Ontario.

*Some locations have radios, others don't. Saskatchewan has radios, linked with provincial services, but Manitoba does not.*

In PYR, EOs use a locally purchased, “in-reach” system which offers a text function that the SPOT does not. Regional SOPs regarding communications also appear to differ from region to region. One officer brought up FleetNet, a mobile service that serves as a radio. However, this system connects to a car battery to function, causing the battery to drain when officers are out of the car using FleetNet.

The primary question for EB is whether or not as an organization it is willing to accept the use of locally acquired communications systems, especially if no centrally-run needs analysis is conducted. Local officers identified appropriate systems, however, there could also be other solutions available which could be centrally implemented and better address officer safety. In addition, an incident that occurs where EOs were using a communications system that failed and was not EB approved carries significant liability.

***Deduction 4.25 - Different standards create disparities in officer safety. EB would benefit from a better understanding of organizational best practices and their application across the country.***

### 4.5.4 Blackberry

*Blackberry phones (BB) serve for routine communication but are not appropriate for emergency communications.*

A primary source of dissatisfaction in interviews for officers was the BB. Officers were clearly concerned that their main system for two-way emergency communications is an office issued BB. Officers were largely in agreement that this was the primary equipment EB provided for emergency use.

The most common issue raised with the BB is its ability to function in an emergency setting. Some of the reasons include:

- The requirement for a 10-digit password input in emergency situations
- Battery life in cold or inhospitable environments
- BB is not waterproof

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- Access to the device when wearing gloves (a significant problem in extremely cold or wet environments)
- Using the device requires glasses or another reading aid
- Lack of cell coverage in areas where EB routinely works

Because of these limitations, the BB appears to require the conclusion of an emergency situation before it can be used. It is least reliable when it is needed most.

Officers expressed extreme disappointment with the requirement to enter a 10-digit code to access the device. As a safety issue, this is clearly a widely-known issue; one officer recounted a training session that involved the officer receiving grievous bodily harm and then being instructed to unlock his/her phone. Other officers noted that it requires two hands to input a password, meaning that an officer would have to stop dealing with the emergency to alert team members.

While recognizing the challenges that EB has in terms of Canada's size and spread of population, reviewing the accessibility and use of BB for emergency response is an extremely important task.

**Deduction 4.26** - *Addressing the shortfalls of BB use in emergency situations is a priority for EB.*

#### 4.5.5 Satellite Phone

*Satellite phone usage throughout EB is sporadic for three core reasons: existence of dead spots, lack of proficiency and limited quantities of satellite phones.*

EOs also have a satellite (SAT) phone for communication. The research team learned that although there are SAT phones available in the regions, their use is sporadic. Officers noted that they at times ignored the policy directing them to carry this equipment due to its bulkiness and lack of reliability. In cold-weather environments, the SAT phone periodically freezes, creating additional usage problems.

The SAT phone is not considered part of EO equipment and its ongoing use is not standard practice.

One officer also stated that the SAT phones were not always intuitive in their use. A hiccup is always constantly having to 'relearn the number' due to rarity of use and using multiple SAT phones. Another officer noted that SAT phone dead zones existed throughout the country.

**Deduction 4.27** - *Ensure ongoing SAT phone training for officers whose activities require it.*

**Deduction 4.28** - *Identify and map SAT phone dead zones where possible to better understand implications for officer safety.*

#### 4.5.6 Radio

*Radio training is not operational within the organization.*

Push-to-talk radio is an excellent way to ensure ongoing communication and ensure officers are connected via two-way communications. The author has extensive experience using radios on operations and knows of no better means for assuring command and control and situational awareness. In that light, this is an opportunity for EB to address some of its emergency-communications shortcomings.

The research team identified little or no radio use training for EOs. Basic radio and voice procedures are essential in the case of emergency communications. With no radio training, EB cannot be sure that officers know how to communicate properly via radio. This exposes EB to significant risk hazard.

#### Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Secondly, not all EOs have access to radios. In fact, in one region the new radios have not been distributed. Some EOs noted they had access to radios, but they were not networked or there was no one dedicated to answering them.

One EO noted that he/she has one in his/her vehicle but no idea how it works, another said that each time he/she uses it he/she goes by trial and error. Even when an officer possesses a radio, some radios are not appropriate for EB use.

Some officers who do use radios noted that the quality of the radio hindered the ability of the EO to do her job. One officer noted that the range is so limited that they are almost line of sight only and therefore often do not work. The research team notes this could have two explanations; the radios are not the best radios for EB use, or the lack of radio training resulted in inefficient and incomplete use.

A radio also requires a dispatch or operations centre for EB operations. The research team did not identify a dedicated operations and dispatch centre for EB. Interviewees from one region have speakers in their offices but no dedicated response. One interviewee recounted an experience of attempting to radio his superior during an operation, only to eventually reach an administrative assistant with no knowledge of the operation, who then stated that she was the sole person at that location. One officer noted that a small agency with multiple demands on individual's needs could mean that the person who should be monitoring the radio could be pulled away to perform other administrative tasks.

To address the lack of a dispatch centre, EB "piggy backs" off other dispatch centres such as Jasper Dispatch and the DFO dispatch system. This is a possible local solution to the problem, but the research team was not able to determine the efficacy of this solution. For example, is there an assurance that EOs are placed in a "situational awareness" chart? If the officer calls in distress, will first responders be dispatched? The research team suggests that these questions be answered.

In military doctrine around equipment, a process known as TTP, Tactics Techniques and Procedures, is employed for the introduction and use of any piece of equipment. The introduction of a similar process for EB equipment would bring up all the issues related to how, in the case of radios, they would be used by the EO and more critically, the supporting EB resources and resolve them in a way helpful to the entire Branch. Any questions on deficiencies that would negatively impact the radio fulfilling its purpose would be addressed before the radio was deployed to EOs.

***Deduction 4.29 - Radios could be of great value to support EOs in their activities, but there are practical and logistical challenges that stand in the way of implementation.***

#### 4.5.7 SPOT

*EB does not effectively use SPOT and EOs have low confidence in the system.*

The main source of Officer situational awareness for Operations Managers is the SPOT system. A SPOT is a GPS locator that indicates where the officer is. It is self-activated and the officer "taps" it when starting and operation and "taps" it when finished. While it's constantly reporting its location, the SPOT device can also send Emergency signals. In discussion with HQ and Operations staff there is a feeling that this system is excellent but the interviews have shown a different point of view.

SPOT offers the operations manager an invaluable tool for situational awareness. The author, who has extensive experience in directing operations, notes that SPOT is essential and serves as a valuable place in emergency-communications capabilities, but must be accompanied by other means of communication. Relying solely on SPOT, HQ does not have the ability to support and run command and

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

control of the operation. The officer also is unable to communicate challenges to HQ and better understand a situation as it develops.

On a technical level, in some remote regions, satellite coverage does not pick up the SPOT. Officers in other isolated regions, indicated this in the interviews. The EB should confirm and map the blackout areas to better understand the geographic limitations to SPOT capabilities.

Importantly, SPOT is not a two-way communications device as it only sends a signal as to where the officer is. This creates a significant issue for the individual monitoring SPOT as it does not indicate the level of assistance the EO requires if they trigger an emergency signal. Because it does not use voice transmission, the message recipient cannot differentiate between a call of immediate distress and minor vehicle troubles.

Another officer noted that the very system of SPOT was largely useful only after the event occurred. An officer could not use SPOT for anything that would help the EO in the moment, but just provides the knowledge that if something happened that at some point help would come. Multiple officers noted that it would only be useful to find their bodies after the end of the incident.

As a result of some of the perceived shortcomings, some officers stated that they do not use it.

***Deduction 4.30 - SPOT does not satisfy the EO requirement as an effective emergency-communications system.***

***Deduction 4.31 - Any revisions to SPOT should also be accompanied by internal communications and training updates to ensure it is used as EB envisions.***

#### 4.5.8 Other communications systems

*Regional offices have a variety of systems to address the challenge of field communications.*

EB regional offices have a variety of different systems they use to patch the specific problem of emergency communications. Some regions use "in-reach" which has a two-way text but is, in the words of one officer, "useless" in an emergency. Another uses ACR which is similar to SPOT in that it is a beacon, but requires a three-step process to engage. One officer stated that a three-step process is not possible to complete in an emergency.

The research team did not review all the different communications systems, but rather the primary systems in EB use. The fact that multiple offices are using different platforms is indicative of a larger problem.

***Deduction 4.32 - Multiple offices are using different systems with important shortcomings indicates the flawed state of EB emergency communications.***

#### 4.5.9 Deductions for internal communications

The effective sharing of information amongst the RDs, Operations Managers, Intel team and the EOs on the ground through improved Information Management practices for Gavia and an enhanced access to CPIC data base coupled with improvements and/or better use of available communications means would ensure an "all-informed" net.

***Deduction 4.33 - Before procuring any more means of communication, the EB should conduct an immediate review of EB officers' field communications systems to determine how they are being used, then modify processes to maximize their efficiency and implement training on each system's use.***

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

***Deduction 4.34*** - Explore the development of an EB dispatch capability for each region for SA and directing operations. In the interim, wherever possible, take steps to ensure that officers in the Regions are part of a secure provincial law enforcement communications system and explore options to develop more formal relationships with partnering agencies.

***Deduction 4.35*** - The use of the BB as the main means of communications should be reviewed. If impossible to change, at least identify where coverage is weak or does not exist and ensure that a reliable means of emergency communication be provided.

#### 4.6 Training

*Use-of-force investigations always revisit the EO's training, re-certifications and qualifications. EB discrepancies in standards, training delivery, training and re-certifications means that EB has a major operational and strategic risk exposure should anything go wrong.*

Currently, EB utilizes two courses for EED and WED, offered in both French and English for a total of eight training courses. The result is a slow and inefficient system that requires significant resources to run. The aim is to review the whole process to determine if there are efficiencies to be found throughout the process, from recruitment through to the conclusion of training.

The authors are aware of an EB CEO initiative to review the current basic training regime, understand the differences in the courses and determine where efficiencies can be found. The CEO-directed training-design study is focused on *how* training is delivered, while this report focuses on *what* training EOs receive and the factors that control their ability to be effective and professional EOs.

During the interviews, the research team ascertained that other than basic and recertification training, EB has no formal continuous training plan for EOs. The RDs and officers decide on their own what to focus on and take the courses as they see fit. While officers and RDs do have a unique view of their training needs, as the EB evolves it should review this practice and consider implementing a more formal approach to EO professional development.

The research team identified a lack of risk-based vision with regards to the implementation of EB training. In many cases, the training did not match the specific needs of EO officers. To support a better and more targeted training program, EB should:

- Clarify, for all members from frontline officers to HQ, that the fundamental premise of training is to support the implementation of EB mandate,
- Review basic training to ensure that it properly prepares EOs to operate and mitigate the specific risks they encounter in their environment.

Applying a risk-based framework will ensure that training falls within the scope of the EB mandate while also guiding training needs towards the officer's specific requirements.

However, the implementation of training requires additional work from EB. Officers identified inconsistencies and lack of enforced standards within basic training and annual recertification. This results in different standards on operations which increases the operational risks to which EOs are exposed. Furthermore, the absence of a top-down, continuous, professional-development program results in resources being used in a non-uniform way across the different regions. An investment in personnel and training resources will support the Branch both in terms of EO safety and operational effectiveness.



## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

This section presents an overview of the training for the EB. This study will cover the officer's point of view and the points raised during the analysis. It reviews basic training, recertification, professional development, specialist training and OHS training.

### 4.6.1 Basic

#### 4.6.1.1 Review of basic training

*EB would benefit from either a new detailed Learning Needs Analysis (or an update to the existing unimplemented LNA) and a subsequent training needs analysis.*

Basic training is broken down into two core phases. Phase one instructs EOs on the legislation and regulations they will oversee. This phase must be separated by Directive as WED and EED perform significantly different tasks. Phase two trains officers on the use of force but does not include the use of a sidearm. WED officers undergo a third phase that consists of weapons training for their sidearm.

In general, many officers said they have no major issues with the basic legislative and regulations training. However, some officers mentioned it is too much content presented too quickly.

With regard to use of force training, EO opinion was not as positive. Officers identified specific challenges within the training spectrum. Some issues were highlighted in the following comments:

- Training often appears sporadic and does not have an easy-to-recognize purpose
- Training is not focused on operational needs
- There is no stress inoculation training to ensure ability to perform under pressure
- Basic EO requirements are not met (i.e. Some new recruits do not know how to unload a shotgun)
- Overly focused on what is perceived to be the textbook requirements rather than operational needs

Some EED Officers noted they do not have the necessary tools during their training and the result is that they require additional training after completing basic training. Some tools used in basic training are older and different from the tools EB uses in the field. The research team cannot determine how much of an effect this has upon training but notes this is a concern for EB to review.

One of the main themes that came out of requests for additional training was a desire for more verbal de-escalation training. The research did not aim to quantify the response, but an overwhelming majority of EOs identified a need for more *Verbal Judo* training.

Moreover, some officers commented that training was not always relevant to their specific needs. The use-of-force portion of basic training has also received criticism regarding its techniques and processes. Originally based on RCMP standards, the course was delivered by the RCMP. However, the RCMP no longer provides the course and EB has moved to a contractor model which provides varying results.

Some officers stated they had never used the vast majority of training EB provided them because it was not operationally focused on their specific requirements.

Meanwhile, other EOs state they do not receive enough PDT on their basic training and do not feel confident enough to use it in the field. A review of the standard expected by EOs, management and HQ would help to address this perception. Given that officers state a desire for both more and less PDT training, this should be reviewed in light of the findings of the management section, in particular:

#### Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- Training must be delivered to meet the clearly-defined and accepted mandate of EB
- Training must be delivered to meet and fulfill EB's definition of enforcement.

This can be conducted under the auspices of a risk-based approach to training.

EB provided a Learning Needs Analysis (LNA) document entitled "Enforcement Branch Designation Program Learning Needs Analysis and Design Report July 2013". The LNA addresses many of the shortcomings identified in this study and appears to be a comprehensive overview of an EO's training needs. However, the research team does not believe all the prescribed learning needs would be achievable before graduation, but also notes that they are achievable if spread out over the first few years of employment. The research team notes this study was not actioned and is aware of no current plans to do so. It is suggested that this LNA be rejuvenated, updated and applied.

##### *4.6.1.2 Lack of standardized training*

*EB's lack of standardized training, or the enforcement of training standards, creates significant risk exposure for EOs and the organization.*

The interviews revealed that basic training is not provided at an adequate and repeatable level in all training courses. The research team views this as a significant weakness in the training process as not all officers are certified to have completed the training process to the same level.

As far as the research team can ascertain, basic training includes the use of as many as 30 EOs, considered SMEs, to provide lectures as a portion of their duties. This has two implications for EB:

- It is an inefficient and disruptive use of resources to transfer 10-15% of available capacity to train new recruits,
- The available EOs are not always the most experienced and prepared for the project. At times, they are not dedicated to the task or have formal training as instructors.

The research team has the distinct impression that instructors were at times selected via a question of 'who's available'. The research team also has the distinct impression, based on discussions, that the trainers are often ill prepared and do not see, nor understand the larger training picture. This leads them to, at times; disregard the lesson plan given to them and to teach how they see fit. As a result, across all types of training, EB does not appear to have a set standard for officers to achieve, nor a concrete set of standards to which trainers should teach. This is significant risk exposure for EB, as EOs could enter the field without proper training. Should an EO act inappropriately in the field due to poor or incomplete training, EB could be held liable for his or her actions.

The research team identified several staff positions lacking a professional that could combat some of these deficiencies. In many organizations where training is imperative, the following positions are often staffed to ensure a high standard of training is provided:

- Chief Instructor
  - The Chief Instructor has the day-to-day responsibility for the standards of training and equipment.
- Chief Standards Officer

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- The Chief Standards Officers ensures that the organization is delivering the courses to an appropriate standard.

In any future EB transformation, consideration should be taken in creating these two positions.

**Deduction 4.36** - *The development of an instructor cadre is crucial to the ongoing development and professionalization of EB.*

4.6.1.3 2011 Auditor General Report

The 2011 Auditor General report identified training as an area for improvement within EB. The report stated:

*According to the Directorate, 30 of the 45 CEPA regulations with an enforcement component require specialized training because of their complexity. There was no training course in place for 16 of these regulations. Five that require a laboratory test to enforce the regulation did not have one available. The Department needs to lay the foundation for effective enforcement by ensuring these basic requirements are in place before new regulations are brought into force. (Office of the Auditor General, 1999)*

**Action on training.** *The lack of regulation-specific training for enforcement officers remains a major impediment to enforcing many CEPA regulations.*

**Recommendation.** *Environment Canada should ensure that regulations under the Canadian Environmental Protection Act, 1999 are written in a way that facilitates enforcement. Before regulations are brought into force, the Department should ensure that the appropriate training, analytical methods, and laboratory tests required to enforce the regulations are in place.*

The research team learned that two points had not yet been actioned five years after the report, despite the Department's agreement to close the gap. Further findings suggested EB has prioritized designation training versus regulatory and legislative training. This means that EED EOs are not fully qualified to conduct the EB Mission because they have not been fully trained on regulation-specific training.

**Deduction 4.37** - *EB's basic training still does not provide training on all relevant laws and regulations that EOs are expected to enforce upon graduation, nor is there a formal continuous training regime in mandate legislation or EB policy.*

4.6.2 Recertification

*Absence of enforced training standard across EB is a source of operational risk and EO frustration and concern.*

The subject of annual recertification generated significant discussion from EOs. EOs were extremely dissatisfied with the ad-hoc nature of this annual exercise. Training material and quality both appear to vary depending on region. Anecdotally, officers seemed to identify ATL and PNR as having the best training available, but even in those regions, EOs raised issues with lack of enforced standards. Feedback that frequently appeared included:

- Inequalities in all forms of training across both Directorates
- Training is the same on paper, but not in practice. The quality of training partners across the country is inconsistent
- There is a lack of training on perishable skills, in particular, sidearm use.

#### Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- Trainers pass EOs who had failed operational scenarios
- Officers felt uncomfortable with the thought of having to use the training they received

Similar to basic training, the lack of a Chief Instructor and Chief Standards Officer, allows a lack of standards and the enforcement of those standards to persist. This exposes EB to:

- Officers unable to effectively use force when required which increases the risk for that officer as well as his or her partners.
- A work place violence loss exposure between employees.

Notably, a lack of standards causes EOs and RDs to clash regarding how training should be done. For example,

*"Manager does not support the use of scenario-based training, which is very important. As a result, officers have modified training to ensure that it met their needs when the manager was not present."*

In this case, EOs may or may not have received proper training. Neither the research team nor EB can definitively state who acted properly in this situation; however this is a significant source of risk to EB.

This lack of consistent annual training leads to EO fears that in the field, their partners will not be able to effectively use force as required.

#### 4.6.3 Continuous Training

*Any professional organization must ensure that their employees are able to meet their full potential and are always improving on their chosen profession.*

The operational environment within which EB exercises its mandate is constantly evolving. Officers receive basic training and annual recertification, but the research team found no evidence of standardized continuous training across all regions. EOs, in discussion with RDs and operations managers, develop their own learning plans. The learning plans do not appear connected to a top-down learning or professional-development plan. The 1998 Report of the Parliamentary Standing Committee on Environment and Sustainable Development noted this in its recommendations:

**Recommendation No. 15** *The Committee recommends that the Minister of the Environment provide the enforcement personnel with comprehensive training programs on a continuing basis to assist them in carrying out their duties. (Parliamentary Standing Committee on Environment and Sustainable Growth, 1998)*

Continuous training is required to address ongoing concerns that are beyond the scope of the annual recertification. For example, if EOs require thematic training packages over the course of several years on OHS related risks they would be incorporated into a continuous-training plan. From the officer perspective, EOs generally noted that additional training is always beneficial, and that training was provided when requested. From a strategic point of view, however, those needs do not appear to be consistently and properly assessed and logged so they can be used to fully understand the organization's needs. These could be addressed through the incorporation of a risk-based training assessment to determine national and regional areas of need. In particular, officers noted two main areas to target for improvement: equipment training and training to deal with the evolving client base.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Officers noted a wide array of equipment training that would help them. Additional applicable training courses that officers mentioned include, but are not limited to:

- Driver training on EB vehicles (especially for officers who arrive in a new location where the officer is unfamiliar with the local equipment, such as skidoos, boats, helicopters, etc..),
- training on rarely-used EB equipment,
- communications,
- vehicle stop training,
- extracting person from a vehicle, and
- sour gas and breathing training.

Attention should be paid to officers who often arrive at new posts without location-specific training on use of local equipment. This has significant risk exposure to EOs and EB; an EB unable to operate a winch on a vehicle if stuck in an isolated region with no communications is an officer safety issue as well as exposure for EB reputation.

EOs also requested training to support client interactions in a multitude of environments. A vast majority of EOs noted a desire for more verbal de-escalation training, specifically *Verbal Judo*. This is mentioned specifically to note how common this request was. Specific requests included:

- Additional drug awareness training,
- Training to support and interact with individuals with suspected mental health issues,
- Handling hazardous materials (specifically fentanyl),
- Hunting trophy inspection course,
- Opening dangerous packages,
- Reptile-handling courses, and
- Updated organized crime knowledge.

These should not be directed at all EOs, but rather directed as part of an overarching strategic approach to training in response to a risk-based training needs analysis. At the very least, specific training should be delivered on a post-by-post basis, as determined by EB's strategic vision, to meet local and regional needs. The 2013 LNA should be reviewed to support the ongoing development of continuous training.

Finally, some officers raised the issue of officer self-help. The work of officers is stressful; they are in a law-enforcement role and their day-to-day work is challenging. Several noted the omission of stress management in their training package. They feel it is required to ensure that officers can recognize dips in their own mental health, and that of their coworkers.

Should EB consider continuous training to be an ongoing priority, one way to address it could be through the establishment of a mentor program. This would pair a new EO with a more experienced EO or manager to support officer development. The research team found evidence of informal mentoring programs, but the EB could benefit from the establishment of a formal program with concrete targets.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

### 4.6.4 Specialized Training

As a law-enforcement agency, EB performs specialized tasks with characteristics unique to its mandate. These include the following types of missions:

- Undercover,
- Surveillance; and
- Informant management

Running operations that utilize specialized training methods such as these require a commitment of resources, equipment, and personnel. They are complicated and carry a significant level of liability due to the increased exposure of EOs. Moreover, the skills to perform these operations are perishable and fade without ongoing use.

Given EB's challenges in managing basic training, recertification and continuous training, the authors have significant concerns regarding how officers will be chosen, trained, and supported in the conduct of operations. Some officer comments, handled confidentially to protect anonymity of those providing the comments, suggested that there was a lack of understanding and comprehension of the dangers specific to undercover work. The comment from one officer who noted that "holsters need improvement, especially for undercover ops" should be highly instructive and significant to EB management. Other officers indicated that after receiving training there was an increased desire to use that training; note, this does not mean there was an increased need for undercover work, but rather a *desire to increase the officer's risk exposure*. Other officers felt that only the supporting policy is inadequate, however it is the opinion of the research team this is not the case. This report has identified significant challenges that EB has in the provision of training:

- Varying standards from region to region
- Different interpretations in the application of policy
- Officers altering training standards.

The research team did not see the documentation normally required for the conduct of these higher-risk activities, seeing only a draft surveillance policy and training plan. Moreover, the interviews show EB has challenges with oversight and ongoing intelligence-based direction for deliberate operations. As a result, the research team is concerned that continuing these operations with the current status of intelligence, training, and communications, places EOs in increased danger and EB at heightened risk of liability. The authors recommend EB leadership immediately examine the efficacy and need of these missions and consider a temporary stop until proper officer support can be delivered.

### 4.6.5 OHS Training

In chapter 5, respondents largely agree that Occupational Health and Safety (OHS) based risks are among the most hazardous, if not the most, hazardous risks they face. EO isolation, in particular on dangerous terrain or water, coupled with poor communications is a major concern for their personal safety. As mentioned above, the development of a risk-based training program that is derived from a central source to ensure that officers have a long-term training plan would support OHS-based training for EB.

### 4.6.6 Major Deductions for Training Issues

***Deduction 4.38*** - *The Learning Needs Analysis and Design Report 201ti should be reviewed for its merit and used as by leadership as the first steps in establishing an EBPDS.*



#### Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

**Deduction 4.39** – The EB needs to conduct a Training Needs Assessment (TNA) to standardize their training and ensure consistency.

**Deduction 4.40** – Professional Development (PD) is lacking for each level within the organization and would be used to support succession planning.

**Deduction 4.41** - There is no formal succession planning process.

**Deduction 4.42** - Course trainers do not always enforce standards for re-certifications and EB accepts the employment of officers in the field that have not met requirements.

**Deduction 4.43** - There is no designated, dedicated trained instructor cadre. The present process of accepting anyone available, not necessary SMEs, raises EO and EB risk exposure.

**Deduction 4.44** - There is no Chief Instructor or Chief Standard's Officer positions identified in EB to support the development and provision of professional training at a designated standard.

**Deduction 4.45** - EOs perform special operations that expose them to unreasonably high levels of risk. The research team recommends EB should cease these operations until such time as it can confirm that the proper policies are developed and followed, EO training is developed and meets standards, operational communications are improved, and EOs use a clear operational framework.

#### 4.7 Officer Safety Equipment

Interviewees were generally satisfied with the equipment provided to EOs and stated few concerns with their specific personal defense equipment. Some officers noted, from their perspective, the quality is not as good as it could be, but there were no major complaints from EOs. The largest section of dissatisfaction was from EED officers who felt the equipment was not complete due, in part, to the lack of a firearm although some other concerns were raised. Sometimes officers noted that upgrades to equipment could also be slow however; this was not a huge concern to officers. From a strategic perspective, two main concerns appeared:

Question	Answer	EED	WED
How well does the officer-safety protection equipment protect you in your duties?	I have no concerns about the equipment EC provides me	32%	32%
	There are some small concerns about what EC provides me	48%	59%
	The equipment EC provides me is insufficient to my needs	20%	9%

Figure 23 - EO Response to the question of how well officer-safety equipment protects the officers when carrying out his/her duties.

- The equipment was fine, but not complete. Some officers believed that omission of a sidearm for EED, for example, made this question not appropriate.
- The equipment was fine, but officer support negated its capabilities. Without proper communications and the ability to quickly access backup, the equipment could not function effectively.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

However, the interviewers did identify several key issues beyond satisfaction with the specific quality of the equipment. Officers flagged specific issues around dress policy, uniforms and EED officers' lack of a sidearm. With regards to equipment quality, the research team is aware of potential deficiencies in the ballistic vests EOs wear. The question of whether or not to equip EOs with on-body or car cameras is flagged and under consideration for EB. Finally, concerns about the procurement process to supply officers with the proper equipment in a timely matter could also be a larger issue for officer safety.

### 4.7.1 Uniforms

#### 4.7.1.1 Uniform Policy

During the interview process, officers expressed concern and frustration over the perception they are to wear all their equipment all the time. Some tasks such as sticking your head in manholes for samples, wearing Hazmat garments, being present at civilian reptile shows, visiting corporate HQ, or climbing ladders in factories are not easy or practical to accomplish in full gear. Many officers shared experiences of either being dressed inappropriately for the mission, or instances where their equipment put them at increased risk of harm:

- Lack of access to tools because of uniform requirements in rain
- Wearing combat boots on a boat, increasing officer risk should he/she fall into the water
- Steel-toed boots are not appropriate for the forest
- Inappropriate and of little value in specific situations such as marine areas and mines

Despite the policy, officers stated they remove some of the Personnel Protective Equipment (PPE) when they feel it is appropriate to do so. Members of the research team were also under the impression that more officers were in uniform on the days when they were conducting interviews. While removing equipment is a common-sense solution to the problem, some officers stated that although this was against policy, they were concerned that HQ would likely not support them if something were to go wrong. The officer is therefore, reticent to dress appropriately, as after doing so, he/she will then bear all risk for any outcome.

However, upon visiting HQ, members of the senior team were clear that officers could dress appropriately for each mission. Clearly there is some confusion around the EO dress policy.

The research team acknowledges senior leadership's concerns for officer safety and agrees that wearing PPE equipment is crucial to EO personal protection. However, implementing a risk-based "Dress for the Mission" policy could be established. For deliberate (i.e. Intelligence-backed, preplanned missions), the officer could dress appropriately for the job required.<sup>12</sup> EB could require RD or operations manager approval after a risk assessment. The implementation of a "Dress for the Mission" policy would signify a step in the direction of an intelligence-led organization; more missions would require a specific concept of operations and proper intelligence analysis before their launch.

While the research team supports a Dress for the Mission policy, whatever the final decision regarding EB dress, HQ should clearly communicate the policy and ensure EOs are aware of the reasons behind it.

---

<sup>12</sup> An example could be visiting a mine on a repeat visit. If the officer knew that he or she was going to be climbing up and down ladders and taking samples in a protected environment, there might be no need for a uniform or the officers PPE.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

### 4.7.1.2 EED appearance without a sidearm

There is a perception, correct or not, within EB that EED officers are at greater risk due to the fact they wear uniforms but do not carry a sidearm. Multiple officers cited that this increases their exposure to acts of random violence, targeted violence, and it places them at greater risk due to negative feelings against their sister directorate. This perception is not held by all but EOs touched on this issue frequently, noting that a lack of a sidearm leads to more people sizing officers up, a lack of a sidearm means that EED officers lose credibility, in rural areas EED equipment is “like bringing a knife to a gun fight”, and the lack of a sidearm leads to more disrespect in the face of clients.

EED officers working on aspects of their mandate related to the Fisheries Act expressed significant concern. This is due to the fact that EB clients generally disliked DFO due to their work. EED officers and DFO officers also have similarities in terms of their boats and uniforms.

The research team would caution against the argument that having a sidearm would garner more respect from clients. WED officers, who carry a sidearm, reported *higher* levels of verbal abuse as do EED officers. Moreover, de-escalation techniques were the most commonly cited training requirement from officers. EED de-escalation techniques were lauded by JIBC instructors and represent an area of strength. The research team would also like to note that the mindset



Figure 24 - Respondents who reported receiving verbal threats in the course of their work, broken down by Directorate.

that a sidearm would be the solution to garnering respect from clients could merit a far larger HR, training and cultural problem. If EOs crave a sidearm for increased respect from clients, this is emblematic of the tool being used as a method of intimidation rather than personal protection. It is our opinion that clients who do not have the intention of using a firearm are more, not less likely to be angered by the presence of an armed EO, raising the likelihood of verbal altercations.

### 4.7.2 Ballistic vests

*Ballistic vests may not meet standards for EO safety due to equipment choice and dress.*

EB officers wear ballistic vests as part off their uniforms for protection. The research team cannot state conclusively whether or not the vests are appropriate or no, but flag several issues that HQ should recognize and address as soon as possible.

Upon examining the vests, members of the team noted that ballistic plates were small hexagonal markers in the middle of chest. This does not protect all of an EO's vitals from frontal assault.

Regarding officer safety, one EO noted that there was a change of vest classification from Level III to Level II in Pacific Region. This has different properties for officer protection and the officer was not clear why a change occurred, and what effect this has on his/her safety.



# Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Some officers noted that ballistic vests are not always sized properly. In order to be effective, the vest must fit the wearer correctly.

Moreover, some officers also noted a fear that wearing a ballistic vest could also escalate a situation due to the presence of protective equipment. Whether an officer wears a ballistic vest or not should be a consideration within a risk assessment before leaving the office.

**Deduction 4.46** - *The ballistic vests do not appear to be standardized across EB and officers are not clear about what level of protection their vest provides.*

**Deduction 4.47** - *Some changes occurred with regards to vest standards in at least one region; EB should ensure that all ballistic vests meet minimum requirements for the particular threats EOs face.*

## 4.7.3 Cameras

The survey explored the officer's perception of having either an on-person and or in-vehicle camera. The results were mixed to this idea, although there was strong support among WED EOs. EOs felt the footage would be useful in documenting offences

and encourage better client compliance while also providing proof of officer behaviour. Predictably, challenges would also arise with the inclusion of a camera: dead batteries, clients less willing to talk on camera, the effectiveness of having a car camera if in the forest away from a vehicle, an increased policy hurdle, and data storage and retention policies. Another officer asked incredulously, "Are we to be videotaping inspections now?"

One of the issues that arose was the worry about how this would be treated by EB leadership. One officer noted this would add to the officer's responsibilities and could complicate his/her job. The EO noted that this would cause operational challenges; EOs often work far from base and having a working camera as a requirement could cause significant challenges, especially in harsh weather conditions.

While there could be arguments made for the inclusion of on-body or in-car cameras into the kit of EOs, the research team suggests EB closely examine whether this would be a benefit to the Branch. If EB were to consider implementing this tool, the costs should also be weighed against not only the need of cameras but also the required investments in training, intelligence, communications and organizational development that could better serve to protect all officers in all situations.

## 4.7.4 Procurement

The scope of this review was not focused on the EB procurement process; however, officers raised issues during the interviews about some dissatisfaction with exchanging equipment that does not fit and getting the proper sizing. This is an officer safety issue, especially if it pertains to the ballistic vests. Several officers noted that EB always seemed to trail other agencies in upgrading their equipment. Common complaints included:

Question	Answer	EED	WED
Do you see value in having an on-body and/or car camera?	Yes	46%	73%
	No	40%	13%
	Unsure	13%	13%

Figure 25 - Officer responses to if they would see value in having an on-body and/or car camera.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- Logistics are not done by field officers, or former field officers, so the individuals procuring the material do not always understand the requirements
- Local needs are generally quickly met, but when requirements go through HQ, delays occur

The research team heard that at least one EO purchased a ballistic vest independently. This is sign of the breakdown in the procurement process and an area of liability for EB. Newer vests are lighter and better fitting and informed EOs would naturally want the best and most comfortable protection with the least restriction to their movement. If the officer is wearing equipment that he/she purchased independently and it fails, EB could face significant penalties.

One officer noted that the organization could benefit from a dedicated quartermaster to focus his or her attention fully upon the use-of-force requirements for the organization and to meet them quickly and efficiently.

### 4.7.5 Major Deductions for Equipment

***Deduction 4.48*** - A study or in-depth analysis should be conducted to maximize the value of the dress code for the EED. Is the title "Enforcement Officer" enough to warrant the amount of PPE that all Officers must wear all the time? The fact that many do not adhere to this policy raises concerns amongst the authors.

***Deduction 4.49*** - Explore a "dress for the task" policy where a risk assessment is conducted at the Regional Level and the Officer's PPE adjusted for the mission.

***Deduction 4.50*** - There ought to be some consideration to changing the colour of the uniforms used by the EED.

***Deduction 4.51*** - This study has not been able to determine without any doubt that all EED officers should be armed

***Deduction 4.52*** - A review of the procurement and EO supply management system would be beneficial.

## 5 Policy

### 5.1 Chapter summary

Generally, the research team found the operational policy created within the organization to be satisfactory. However, there is a disconnect between the policy and implementation that runs through the organization.

A disconnect exists between officers and management regarding EB's policy. Many officers stated a desire for increased law-enforcement capabilities (tools, policy, capabilities) more in line with a first-responder agency; in the EOM, management specifically states the EB is not a first-responder agency. These sources of dissatisfaction between the different levels of the organization must be addressed through improved communication, shared vision of the mandate, training and leadership. This can be addressed through an increased presence of field-experienced EOs and regional staff at headquarters while moving to increase HQ staff participation in regional operations.

Other policies are hindered by cultural aspects of the organization. For example, as stated in Chapter 6, EB has a general culture of non-documentation. As this is the case, it is not possible to fully implement

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

specific policy proposals such as the Violent Incident Reporting System; a reporting program that requires a culture that documents all cases of violence against employees.

The research team also identified specific policy paths EB could further develop that would support improvements to officer safety. Addressing these policy deficiencies would serve to better support officers in their work, rather than change the immediate, tactical work EOs do.

The 2016 Enforcement Operations Manual (EOM) identifies many of the same questions the research team identified for further investigation by EB senior management.

### 5.2 Use of Force Policy

The Enforcement Branch has a detailed Use of Force Operational Directive [4-8-1] which was last updated in December 2013. The 14-page Directive confirms it applies to both WED and EED officers:

*This use of force policy will be considered the national standard and regardless of the specific designation of an officer and/or which protective enforcement equipment have been issued to support that designation. This model will apply to all EC officers who are authorized to use force. (p.2)*

The Directive confirms that while the Incident Management Intervention Model (IMIM) is confirmed as the model used by the Enforcement Branch for situational risk analysis, it is not the guiding policy for enforcement officers in the use of force. Instead, the Directive itself provides those requirements. This is an issue of potential significance and the Branch should expressly communicate this to officers at the annual recertification. Such an action would also support Article 27 of the Use of Force Operational Directive [4.8.1].

The Directive covers a broad range of activities which are relevant to the use of force and to different operational case scenarios.

When updating the Directive, the Branch should ensure consistency in all its Directives. Directives should be organized and consolidated in such a way as to ensure clarity for EOs. This could be accomplished through the annual Review of the Directive as stated in Article 26. Any revisions and updates to the Use of Force Directive can be included in officers' annual review, per Article 27.

In reviewing its Use of Force Directive and other related Directives, EB should consider reviewing the December 2015 CEO's EB PSES Proposed Action Plan. (Owen, 2015)





## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

### 5.3 Branch Cooperation

*WED and EED cohabit work spaces and have similar organizational needs and threat models. A shared utilization of resources could improve operational capabilities while allowing for resource reallocation.*

The Directorates are responsible for similar clients and enforce federal environmental legislation. As stated in Chapter 5, officers in both Directorates do similar work in many situations. In this case, there is significant overlap in eight specific categories: inspection, evidence collection, execution of search warrants, investigation, joint operations, reports to Crown Counsel, court appearances, and laying charges. In these cases, there is the opportunity for each Directorate to benefit from the expertise and resources of their sister Directorate.

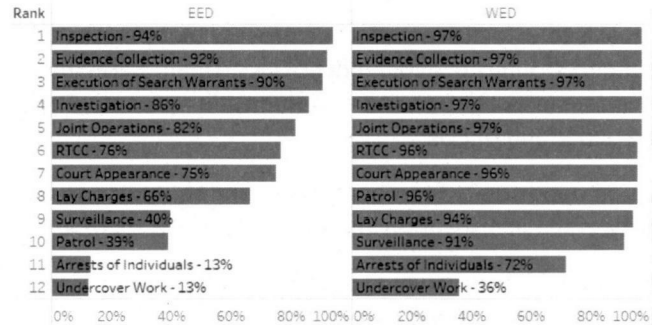


Figure 26: - Officer-stated work divided by Directorate.

One area where this could be of significant use is through the enrichment of the Branch's intelligence capabilities. Many of the clients that each organization interacts with are thematically similar; sharing and combining intelligence capabilities to guide resource deployment among both Directorates will improve the application of resources to where they will have the greatest impact.

**Deduction 5.1** - Improved centralized intelligence capabilities will lead to better cooperation between the Directorates and improved resource allocation.

**Deduction 5.2** - Improved Directorate information sharing will improve officer safety.

### 5.4 Special Investigations Unit

*The absence of a Special Investigations Unit (SIU) does not allow EB to have an objective and professional assessment of a complaint against an officer. This hinders the development of new policy and procedures for EO safety.*

Law enforcement agencies that interact with the public, such as EB, to enforce a statutory or regulatory mandate inevitably become engaged in activities that generate questions and complaints. Moreover, members of the public could accuse EOs of inflicting injury when carrying out their duties. Accordingly, it is appropriate for agencies to proactively anticipate and create a process to address these issues through a defined internal process.

Several officers perceived that EB inappropriately redressed issues related to interactions with clients.

A case occurred where an officer found tire tracks entering a protected area. In order to include or exclude a vehicle, the officer went to measure its tires. The owner and a family member came out and became hostile towards the officer. The officer believes that EB's risk-averse and conflict-avoidant culture caused EB to question the EO's actions before considering her/his mandate to investigate the offense.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Another officer expressed confusion as to when it is appropriate to contact the Union and provide a statement if a serious injury were to occur to a member of the public.

In the cited example, the situation was not resolved to the satisfaction of the officers involved. The research team, regardless of who was 'right', sees no path currently exists for clients to register complaints with the organization. The purpose of an SIU is to professionally investigate those situations to protect officers, EB and the public by ensuring proper investigation.

The goal is to establish an effective process that permits objective investigation of legitimate complaints on defined grounds to avoid officer/Department harassment with a substantive, expeditious and appropriate investigation and an adjudication process. The process would support both the confidence of the public and of EOs.

This is an opportunity for management and the Union to meet to develop a protocol to protect the sanctity of the investigation and the rights of the member.

***Deduction 5.3 - The EB would benefit from an internal, independent body to investigate complaints and cases against officers and ensure due process.***

#### 5.5 Specialized intelligence operations

*There is a discrepancy between operational policy, training and field practices that increases EO risk exposure.*

The Directive on Surveillance (4-5-2), was designed to better collect information to feed the intelligence process and exploit processed intelligence. This Directive demonstrates the capability of the EB to provide specific and operationally-tailored policy to aid the development of capabilities. While in a vacuum, this policy is well-written and appropriately worded; however, the research team was concerned with several facets of the policy.

During the project, the team noted several instances of basic policy not being followed; policy written does not necessarily equate policy followed. Other times, the team noted that policy may have been followed, but due to inexperience in the field, officers may have placed themselves in greater danger than they realized. At one point, officers may have inadvertently performed undercover missions without realizing they had done so. Other officers stated that due to the training they received, they wanted to undertake higher-risk missions.

Examples like this demonstrate the danger of scope creep and an unintentional assumption of more risk than EB was originally willing to take. If considering undercover work, an informant policy is a necessity. However, if this is a step the Branch is not willing or does not feel is appropriate to take, this policy should be rolled back to an acceptable level of risk tolerance.

From a strategic level, EB must examine if these policies are necessary for officers to fulfill the EB mandate and not expose themselves to an inappropriate level of risk.

*You can have a great covert operator, but you need a good manager who knows and understands the risks. The management team must have knowledge of risks to properly support you.*

When examining policy like the Directive on Surveillance (4-5-2), the EB would be remiss not to ask if it is appropriate for officers to perform high-risk operations such as surveillance, source handling, or undercover work.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

As was outlined in Chapter 6, EB should review its operational risk tolerance in specialized operations in cost benefit terms to ensure that it has the capability to effectively conduct them. Moreover, if EB comes to the decision to accept the necessity of high-risk operations, it must also recognize this is not a decision that can be simply legislated into action. The larger strategic reputational and financial liability risks that come with this type of work must be addressed through legal counsel, organizational buy-in and larger government approval.

***Deduction 5.4 - EB is unknowingly and needlessly exposed to high levels of risk through inappropriate high-risk policy. EB is likely unaware, as individuals and an organization, the implied risk tolerance the organization has assumed.***

### 5.6 Policy creation

*Officers stated a perception that headquarters does not consider the experiences of field officers into policy creation.*

Officers noted a perceived operational divide between front-line officers and HQ leadership. Officers explained the cause of this being that HQ had never been in the field, had not struggled with the same questions that officers face and do not understand issues as officers do. In particular, officers felt there was too much policy direction and a general lack of accountability in the organization. Another source of disconnect between HQ and field is that HQ tends to change more frequently than field officers would like, causing a lack of continuity in policy development and organizational structure.

The absence of a defined and effective process to translate operational insights into targeted policy changes was identified by some as an issue of importance because it impacts officer safety. The difference in operational practices from region to region speak to this; different cultural and organizational norms speak to different perspectives on the organizational mandate and personal risk tolerance of local and regional management.

Experience in other law-enforcement environments over the past decades has shown that front-line operational insights can be extremely valuable in making legislation and regulations more effective and enhancing officer safety. However, working in a federal setting can hinder this process as many of the people drafting the regulations and legislation may not have operational experience. However, EB is not unique in this regard; many other law-enforcement organizations also have challenges incorporating field experience into legislative development. However, there are resources that EB could utilize within the federal government structure to improve integration of front-line officers' insights into legislation and regulations.

One such organization is the Public Prosecution Services of Canada (PPSC), an organization dedicated to providing prosecutorial advice to law enforcement agencies and to act as prosecutor in matters prosecuted by the Attorney General of Canada on behalf of the Crown. (Public Prosecution Service of Canada, 2016)

ECCC is a member of the Community of Federal Regulators (CFR) and members of this group have significant practical knowledge of every aspect of the implementation of federal laws and regulations.

When reviewing current policy, the May 2016 review of the Enforcement Operations Manual and the former CEO Report from December 2015 are also valuable assets for the CEO. These documents can be used to conduct a review of Enforcement Directives to ensure their relevance, necessity, cost effectiveness, consistency, non-duplication and overall application. Moreover, they can serve as an effective barometer to ensure policy is serving its intended purpose. EB may consider a review as a unique

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

opportunity; by involving regional management and representatives, the Branch can conduct a thorough review and provide an opportunity for regional feedback within a predefined analytical scope. Regional managers could provide insight into the following areas:

- Areas of strength and weakness regarding specific policy, including areas to focus for future development
- Identify differences in practices and implementation across the country
- Identify and share best practices across the country, seeking to improve and streamline policy creation and implementation
- Define and grade the relevance, necessity and cost effectiveness of policy

**Deduction 5.5** - *EB should take steps to address the officer perception that their insights are not valued and incorporated into policy changes.*

**Deduction 5.6** - *EB should take all available internal and external sources of information to create and improve policy where available, especially sources with field and operational experience.*

## 5.7 Work-alone policy

*Circumstances of officers being required to work alone creates potential officer safety risk, possible institutional liability as well as impairment of operational capabilities.*

*Not all officers are aware of the current risk-assessment policy for work-alone situations.*

Among the most frequent officer-safety and enforcement-capability issues raised by officers was the prevalence of the need to work alone. Several factors caused this but officers most commonly identified the shortage of officers as the cause. The research team believes this caused frequent work-alone situations and violations of the intent of the Work Alone Directive (4-1-7). The policy states:

*"It is the policy of Environment Canada (EC), Enforcement Branch (EB) to allow its officers to work alone, but only after carrying out a "Risk Assessment Analysis" (see annexes 4-1-7(1), 4-1-7(2), and 4-1-7(ti)), and considering all risk factors and safety concerns as described in this directive and making the appropriate decision to mitigate possible dangers.*

*If working alone constitutes a risk, the manager will review the situation as quickly as possible, before implementing a change in work condition." [4-1-7]*

The view of this policy from the officers is generally positive and officers noted fewer work-alones and a greater understanding of officer safety needs from that perspective. However, officers did not uniformly demonstrate knowledge of this policy; officers stated that working alone was either a 'gut' decision or that no formal risk-analysis process existed.

Another officer noted that his/her manager stated that current conditions forbade **any** work-alones in **any** situation (author's emphasis). It is important for EB to recognize that officers and management may impose alternate levels of risk tolerance. We cannot judge the necessity or efficacy of this local implementation of policy and do not have a full understanding of the arguments behind it; those arguments may be completely valid and it may be that this is a necessary step given the work

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

environment. However, it still is important for EB to note that local modifications to policy do in fact occur and they may occur without RD or EB knowledge.

Other officers noted that working at a small location placed officers in a position where they functionally were in work alone situations. For a multitude of reasons, officers could be put in a position where they had to work alone, including but not limited to: illness or injury, secondment, transfers, training, or other duties/responsibilities. In these cases, officers stated they are placed in an extremely difficult position where weeks or months of work and planning may have been put into developing an operation which is no longer viable for a single officer.

The 2016 Enforcement Operations Manual (EOM) specifically flags this as an issue to be aware of when reviewing the state of work-alones in EB. Specifically, the EOM poses the following questions regarding work-alones,

- Are EOs and managers actually adhering to the directive when it comes completing [sic] the assessment?
- Onus is on managers to perform a risk analysis. Theoretically, this is good practice but has it been implemented in the field?
- Managers must identify and review all situations where employees work alone by carrying out a "Task Hazard Analysis". Is this being done?

Although the research team cannot confirm with quantitative data, anecdotally, the EOM is correct to identify these as legitimate questions to pose. Interview data suggests that officers and management do not implement the policies as intended across the country.

***Deduction 5.7 - The policy as written is generally sufficient but fails to take into context the current realities that officers face in terms of a lack of communications, resource deployment, intelligence, protection equipment, and cooperation with other law-enforcement bodies.***

***Deduction 5.8 - Officers and management have different understandings of the current policy and implement it differently across the country. Officers work alone for a wide variety of reasons and EB should take steps to ensure that officers and management are aware of current risk-assessment and work-alone policies.***

### 5.8 Implementation of a major case management program

***EB does not have a major case management program (MCM) which hinders its ability to complete larger and more complex cases.***

There is no doubt that the nature of the investigative work being done by both WED and EED is becoming increasingly complex. Both groups face offender groups that see significant profit in their illegal activities; many officers noted that mainly due to its profit margins, wildlife trafficking is the third-most profitable illegal activity. This often requires the EB to target multi-jurisdictional cases which can feature an international element.

This reality is reflected in EB participation in international relationships with other law enforcement organizations. EB works at borders to intercept incoming and outgoing shipments of animal remains, trophies, and other restricted items. Other officers noted the international aspects of their work, both in terms of organizational cooperation and the criminal element:

- The arrest of suspected Mexican cartel members taking polar bear pelts to Mexico

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- Requests for intelligence products from US Fish and Wildlife Services
- Cross-border work empowered by Title 18 requirements
- Bear gallbladder trafficking for traditional Chinese medicines

At least one officer noted an ongoing case that lasted over one year; a significant amount of time for one resource to be working on one project. Officers also noted a growing presence of organized crime within their work, in particular regarding drugs and animal trafficking. Multiple officers stated that many of the exposed targets are involved with organized criminal groups.

In these situations, the intelligence work, interagency cooperation, and conclusion of the cases should be a longer process to ensure their successful resolution. The research team does not recommend EB attempt any prosecution of organized crime by itself, it does require the ability to collect information in the initial stages of an investigation, process it into intelligence, and properly hand off collected material to the appropriate law-enforcement organization to ensure inter-organizational cooperation. Officers specifically noted this capability gap when dealing with large files and having to hand them off to the provincial authorities.

This growing investigation complexity also involves increased reliance on intelligence and research capacity as developing a proper approach requires full awareness of the suspected perpetrator. Lengthy investigations and case preparation can require significant human resources as investigators gather the necessary evidence and ensure its admissibility. This is an exceedingly complex task when prosecuting a well-funded suspect. Both WED and EED have been involved in major-case investigations and, like other specialized investigations, there are insights, experiences and 'lessons learned' which can, and should be, shared throughout the entire EB.

***Deduction 5.9 - Ongoing and increasing complexity of investigations requires capability development on the part of EB.***

***Deduction 5.10 - Due to the presence of organized crime and an international element, EB requires improved intelligence capabilities and collection of MOUs to facilitate the initiation, recognition and handing off cases where appropriate.***

***Deduction 5.11 - The creation of a major case management program will necessitate better exchange and sharing of intelligence with other law-enforcement agencies and aid a shift towards an intelligence-led organization.***

5.9 Reporting system for officer safety and threat awareness

*The reporting system for security and safety incidents does not appear to be fully implemented and followed. This is especially relevant as EB currently has a culture of non-documentation of events and activities.*

*EB was unable to provide a series of logs of all serious incidents to track ongoing incidents.*

*Officers did not identify a way to easily and effectively access officer-safety reports to support their own operational planning.*

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

EB has identified and recognized the importance of ensuring that all serious incidents are reported to the Branch.

*It is the policy of Environment Canada (EC), Enforcement Branch (EB) to ensure prompt reporting of serious incidents by establishing effective reporting procedures for all incidents serious incidents [sic]. [EOM 4-1-1]*

In this case, the policy identified within the EOM is basically sound; however, the implementation of this policy leaves significant room for improvement.

First, as noted earlier, EB has a culture of non-documentation. When asked how they reported most issues, officers consistently stated it was done orally to management. In more serious cases, officers stated they would follow up with an email where appropriate. However, that begs the question; what is the threshold between appropriate and not appropriate? Would this be transferred to an official record or kept as an unofficial record between management and officer? While not uncommon in law-enforcement agencies, one respondent noted a stigma against reporting issues. On a basic level, this indicates a basic problem in that EB does not know, and cannot accurately assess, the level of risk officers face because of policy non-compliance.

Linked tightly to this, EB was not able to provide the research team with an accurate log of submitted reports. The research team is aware these reports are saved within the team; therefore, the lack of logs indicates a limitation of the organization to accurately track and record instances of officer safety. Logs like this can also form a source of information officers can reference and use as a starting point for any searches for more information to create a risk assessment.

Finally, there is no way for officers to access these reports in such a way as to form an actionable basis when compiling their own information background and deciding on a course of action to pursue. The current records management system (RMS), Gavia, is an officer's resource in this regard. Gavia's primary purpose is to record the records of enforcement and incidents (an incident in this case is a potential breach of mandate legislation) the Branch faces. As an improvement over the previous NEMISIS database, Gavia also includes an officer safety component for officer use. However, Gavia only has three fields for use with regards to officer safety:

- Client name
- Report number
- Incident description (available only for clients that are organizations)

As a result, officers dealing with individuals instead of organizations can only input that something occurred and point the officer towards the report.<sup>13</sup> The officer does not have the ability to review the report via Gavia. This limits Gavia's use to officers as a source of information for the creation of intelligence.

The officer noted some specific challenges with Gavia which lead to lower usage rates. The system itself is unstable, causing crashes and officer frustration. This results in the inability to quickly and easily search for material that is related to the case limits, as well as making it difficult to access a specific case and provide insight into officer safety issues. Finally, officers do not always input the information that is required and even accessing that same information requires multiple steps.

---

<sup>13</sup> The Research team was informed this was done to minimize privacy concerns with regards to individuals.



## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

It should be noted that Gavia was recently rolled out to the whole organization which complicates changes but also make them more important to consider.

These weaknesses were previously noted in Directive 4-8-7, Use of Force Incident Reporting. In it, EB has moved towards creating a Violent Incident Reporting System (VIRS). The intention of the VIRS appears to be to "allow managers to collect and analyze information in order to develop and modify policy, models, and training and equipment standards in order to meet the challenge of an appropriate departmental use of force response and therefore minimize and mitigate risk." Directive 4-8-7 states this would be comprised of, but not limited to the following information:

- use of force reports;
- firearms use reports;
- use of force reviews;
- officer safety concerns;
- risk data;
- Canadian Police Information Centre (CPIC) criminal offender and risk data (interviewees suggested this was not possible due to EB's current MOUs to obtain CPIC and organization status);
- local/regional/national threat assessments;
- analysis of risk data;
- annual reports and summaries;
- records of use of force notifications; and
- links to Canadian Labour Code (CLC) hazard occurrence reporting.

This issue was flagged for future work in August of 2012, and is noted in the EOM as a high-priority item. The research team received no indication this has been actioned or is in the process of being created.

This is crucial for the development of EB as an intelligence-led organization; as the Directive correctly states, this information can be used to develop and modify policy, models, and training and equipment standards.

***Deduction 5.12 - The fact EB culture is one of non-documentation which reduces EB's ability to accurately assess the threats officers may face, plays out across multiple identified pillars for EB: intelligence production, threat assessment, records management, and situational awareness.***

***Deduction 5.13 - EB's current RMS does not adequately inform officers of safety issues they face in an accessible and usable way that provides the required information in whole for intelligence and officers to use in their work.***

### 5.10 Strategic communications - Internal and External dialogue

*Lack of good sharing of information inside and outside impact the capacity to improve officers' safety.*

The Enforcement Operations Manual Review from May 2016 specifically deals with the Directive (4-1-5) regarding Public Communications by the Branch including at the Regional level. While there clearly

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

needs to be compliance with nationally set standards, this does not need to mean that regional branches are prohibited or discouraged from commenting or briefing local media regarding ongoing cases. Such local communications is essential to strengthening public awareness and support for the work of the local EB offices. Cooperative and helpful communities contribute to officer safety and to the overall success of local operations. Internally, public communications strengthens officer morale by publicizing the important work they are doing.

Communications directed at other law-enforcement agencies also consist of a vital aspect of officer safety and a way to mitigate strategic risks facing EB. Effective communications ensure a comprehensive strategy with overall buy-in from management directing the strategy. Moreover, improved communications with other law-enforcement agencies, police services and intelligence agencies creates a more fertile ground for interagency cooperation. If other organizations have an improved understanding of EB's mandate, importance and successes, they are more likely to provide support to EB when requested.

Finally, both enforcement officers and local managers expressed a desire to have a greater awareness internally of the activities of the entire Branch. There was a view that such communications from HQ to the Branches might encourage increased details reporting to HQ which would improve their awareness of operations.

***Deduction 5.14 - EB can improve strategic communications both internally and externally to support officer morale, improve organizational cohesion and contribute to EB success in achieving its mandate goals.***

***Deduction 5.15 - Increased strategic communications can promote clarity of mission for all members of the organization.***

#### 5.11 Increase interagency capabilities (MOUs)

*Interagency cooperation is a critical aspect of EB's work, acting as a force multiplier and supporting EB's stated desire to move towards becoming an intelligence-led organization.*

*Officers stated a lack of clarity on their part regarding the EB's policy on MOUs and interagency cooperation, viewing MOUs as a local, rather than a regional or national area of cooperation*

##### 5.11.1 MOU creation

In the multi-jurisdictional world that is Canada and with the work that the EB does, interagency cooperation is an essential ingredient for both investigative efficiency and success. To support this work and to address the different roles and responsibilities of the cooperating agencies and departments, formalized written Memorandums of Understanding (MOU) have evolved to help achieve the goals and capabilities of the different partners.

Experience has shown that MOUs need to be in writing and be as operationally specific as possible. Clarity is one of the best guarantors of accountability and thus, compliance.

Given the EB's broad mandate and its overlapping enforcement activities, it is not surprising that it has multiple MOUs with different departments and agencies; this includes different levels of government within Canada and with international partner agencies. In addition to this, MOUs are frequently situation or scenario specific so multiple MOUs with a single partner are also frequently in existence.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

The EB also has specific Policy Directives on these issues with 3-1-4 pertaining to domestic MOUs and 4-5-6 relating to international ones.

The 2016 EOM Report identified several issues regarding overall responsibility for maintaining the MOUs as well as updating them to meet specific needs. Updates ensure the continuing relevance and accuracy of MOUs. The importance of these agreements is such that several officers identified the need to engage in a targeted initial analysis to ensure their relevance to operational needs and to maintain that process to deal with the evolving circumstances faced by EB officers.

***Deduction 5.16 - EB has the policy framework to allow for both local, regional, national, and international MOUs within the organization as required.***

5.11.2 Officer interpretation of MOUs

While the policy is in place for the proper development of MOUs, officers are not always aware of the policies, or their application.

As stated in the previous section, the system of MOUs is complex, with MOUs existing on multiple levels with similar agencies, different organizations, and different countries. It is extremely complex and difficult to navigate. The research team was provided with a list of MOUs, many of which are over 20 years old and are barely readable. They are not digitized in any meaningful way to allow officers to fully explore and understand the full nature of the support system the organization has. As an example, one officer noted that officers were forced to develop MOUs and agreements on an office-by-office basis. In addition, multiple officers noted that informal networking with local law-enforcement officials formed the basis for their cooperation. While informal networking is often the core of developing a functional relationship, officers should also know about the formal support that can promote and drive the informal networks as well. The officer appears to have been unaware of the large body of MOUs at his/her disposal on at the very least, a national level.

This lack of knowledge directly impacts officer safety. One of the primary concerns that officers referenced in their work was when they encountered dangers to the public outside their mandate. A common example is the case of drunk drivers at a roadside check. Multiple WED officers noted they had staged roadside checks to review hunting permits at remote locations and it was not unheard of for drunk drivers to drive through the roadblock. However, as this is outside their mandate, WED officers stated there was nothing they could do except for call the RCMP and wait; this was an imperfect solution as the road-block would back up waiting for RCMP. However, an increased emphasis on organizational cooperation and deployment of MOUs could help alleviate this situation through ensuring RCMP would be available on the day of the roadside checks, or ensuring they were present when the checks were occurring. Other officers in remote locations hesitated to use MOUs and felt uncomfortable asking the RCMP to perform enforcement tasks outside EB's mandate.

Ensuring that officers from both the RCMP and EB understand the organizational capabilities of the other's organization will support the development of smoother interagency cooperation on a local level.

Better local understanding of MOUs allows for greater risk transference to other designated first-responder agencies.

As a law-enforcement agency but not a first-responder agency, officers can transfer this risk to others in a better position to mitigate it.<sup>14</sup> Officers do not appear to consistently use this opportunity to transfer

---

<sup>14</sup> As stated in the EOM, the EB is currently not a first-responder agency and is not currently equipped or mandated to deal with situations associated with first responder organizations.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

risk to the RCMP, an organization better suited to perform specific tasks. Many officers noted they interacted with organized crime throughout their work, even targeting areas that traditionally have significant involvement of organized crime.

Another officer noted that he/she worked on a case that involved organized criminal activity in waste disposal. The officer noted that they informed the neighbouring region when it was clear it was a multi-jurisdictional occurrence. Upon recognizing the involvement of organized crime, the officer stated EB stopped their investigation. It was not clear if initial investigators informed the RCMP, or another police service, as to the presence of organized crime.

In an informal interview, one regional director noted this still poses challenges. The RD noted that "you can't task other agencies to do what you're supposed to do, it never works." The research team fully recognizes this to be the case and does not expect the RCMP to fulfill EB's mandate. However, EB could take this opportunity to exploit a weakness by providing areas of opportunity to the RCMP, especially in the case of high-risk situations where RCMP has interest in other aspects of the case (i.e. Presence of drugs, availability of weapons, other criminal activities.).

The full context of these investigations and the extent of external support is not clear to the research team due to the relatively short interview format and anonymized interviews. However, the research team's distinct impression is that officers do not fully appreciate and use other organizations for support even when it is available.

***Deduction 5.17 - Officers are not always aware of MOUs that exist at different levels of the organization that can promote interagency cooperation at their level.***

***Deduction 5.18 - Officers are not aware of the scope of MOUs that can support them in their work and promote interagency cooperation. Officers do not consistently use the functions of MOUs to transfer risk to other agencies that are better suited to deal with the situation.***

***Deduction 5.19 - A greater reliance, identification, and use of MOUs across the organization will aid a cultural shift towards an intelligence-led organization. Increased involvement of partner law-enforcement agencies requires a greater flow of information, integration with other sources of intelligence, better risk transference, and a more strategic outlook on Branch work.***

## 5.12 Address rumours of a quota system

*Officers noted the existence of numerical targets for investigations*

During officer interviews, officers in different regions identified what they described as a 'quota system' whereby managers were given mandatory numerical targets by HQ for annual numbers of inspections and investigations. This was described as a part of a National Enforcement Plan that was not included among the 2016 EOM analysis of Directives.

*We are given regulatory-based 'quotas' for annual investigations- national enforcement plan has annual numerical targets*

*We are given inspection quotas and management terrified of not meeting them-causes 'cherry picking' of files acted on and officers are frustrated*

When raised to the leadership team, members of that team emphatically stated that no such quota system existed and this was an ongoing rumour that had been addressed in the past. EB should also consider this could be emblematic of a larger internal communication challenge; EOs may receive

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

direction from managers without understanding the larger strategic picture. However, any previous communication was clearly not enough to fully remove all doubt this occurred.

**Deduction 5.20** - *Some EOs believe the existence of a quota system. EB should examine this to ensure that no quota system, formal or informal, is in place.*

**Deduction 5.21** - *Headquarters did not fully address the previous rumours of the existence of a quota system.*

#### 5.13 Officer exemptions

*Officers are not fully aware of exemptions in place for them to complete their work.*

*Clarification and expansion of officer exemptions is an issue that the EB should examine to support operational effectiveness.*

One officer raised a concern about statutory authorizations for officer exemptions that allow EOs to breach legislation when necessary to enforce their mandate. An example of this exemption authority is contained in s. 11(5) of the Canada Wildlife Act which states:

##### **Exemptions for law enforcement activities**

*(5) For the purpose of investigations and other law enforcement activities under this Act, the Minister may, on any terms and conditions the Minister considers necessary, exempt wildlife officers who are carrying out duties or functions under this Act, and persons acting under their direction and control, from the application of any provision of this Act or the regulations.*

The fact that officers are not fully aware of their enforcement capabilities can be addressed by basic and continuous training, to improve the ability of the organization to enforce its mandate.

**Deduction 5.22** - *Officers are not fully aware of the limits of their mandate legislation with regards to their enforcement capabilities.*

#### 5.14 Social Media

*Social media policy requires additional clarification for use in a law-enforcement setting.*

Social media was not identified as an initial portion of the study, but its inclusion into the report became important due to ongoing conversations with officers in the field. This is not a conclusive review, but rather the identification of an area the research team noted potential risk exposure.

EB has two specific policies regarding social media and open-source information. This is collected in Directives 3-4-2 (Social Media) and 4-6-7 (Research and Covert Computers).<sup>15</sup> However, as noted in Chapter 6, it does not appear as though all officers are aware of these policies. Additionally, the overall wording of 3-4-2 (Social Media) is largely aimed at appropriate officer use as a communications tool, and the inclusion of its use as an investigative or intelligence tool appears added only as an afterthought.

---

<sup>15</sup> The research team also examined Directive 4-5-10 (Digital Media), but did not include it as it pertained to the use of digital cameras and recording, not the collection of online materials.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

During the interview process, at no point did officers note the existence of covert or research computers for use in investigation or intelligence production. On the contrary, officers noted that Facebook was blocked at EB offices and none made mention of a covert computer. Another officer noted that he/she uses personal accounts to access Facebook to research clients. Combined with the previous quote, this is worrying as it suggests the use of personal accounts on a mobile device to research clients and their activities. If true, and the research team believes this to be the case, this has the ramifications of endangering the officer through exposure while also not properly documenting and preserving evidence for future use.

Moreover, Directive 3-4-2 (Social Media) does not identify the need for proper training with regards to the collection of open-source material. This is a specialized skill set, similar to the collection of 'offline' evidence, and there are specific techniques that allow for an efficient collection of materials. In addition, there are specific suites of tools available to officers for investigative purposes. Without training or specialized insight into the field, officers are not able to fully use this material.

To become an intelligence-led organization, EB officers and intelligence analysts must be able to properly use social media as an information source. Additional guidance, in the form of a specific policy to deal with this, would have multiple benefits for the organization and officer safety. Most of all, it would better define the limits within which the officer and analyst can act, transferring risk to the organization and removing it from the officer or analyst.

***Deduction 5.23 - EB has not yet implemented policy with regards to the provision of research and covert computers for officers and analysts.***

***Deduction 5.24 - Include specialized training for the collection and exploitation of open-source and social-media materials in social-media policy.***

***Deduction 5.25 - EB would benefit from a specific policy that focused on the use of social media for investigative and intelligence purposes to better inform officers as to the best courses of action for them to take.***

## 6 Management

### 6.1 Chapter summary

EB lacks a single, unified strategic and operational direction and clarity. The research team found no clearly articulated mission statement, vision, and values statement for EB, resulting in individuals at all levels interpreting EB's mission statement in individual ways. Beyond the mandate of enforcing federal environmental and wildlife laws, EB must work to define exactly what that means for the Branch. The research team identified a distinct split between EOs and HQ in the interpretation of the word enforcement; crucial to this designation is whether it includes the responsibilities of a first responder for EB EOs. Moreover, the research team's inability to identify a concrete succession plan suggests that officers do not have an identified professional-development plan in the organization, and the organization is not maximizing its HR capacity to its fullest extent.

This is a strategic risk that has direct implications with EO safety. Poorly communicated guidelines create a situation where EOs perform above the stated risk tolerance of EB, or may not fully understand the requirements and expectations. This can create operational discord, inefficiencies, and EB not properly fulfilling its mandate.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

These terms need to be better defined, communicated, and whole-of-organization buy-in engineered with the appropriate targeted investment of time, energy, and resources. Leadership can address and clarify its position through increased engagement, involvement, and interaction with EOs.

### 6.2 Clarify Enforcement Branch mandate

*Ensure clarity and organizational buy-in to the mission and mandate of EB.*

On the Environment and Climate Change Canada's Enforcement Branch webpage, the Enforcement Branch is described as

*Environment and Climate Change Canada's Enforcement Branch is responsible for the protection and conservation of both the environment and wildlife for future generations. In-the-field enforcement officers across Canada enforce environmental and wildlife laws.*

During the interview process, it became clear to the research team that many officers viewed the organization as lacking overall focus and understanding of EB's mission and vision statements. One of the primary sources of confusion was over whether the organization is an enforcement or regulatory agency and organizational buy-in.

*There appears to be a lack of organizational identity; is it regulatory or enforcement? Regardless of what it is, everyone needs to be on board.*

*There appears to be an identity crisis within the agency; the agency can't decide whether it wants to be regulators or officers. Job description and duties are of more of a regulator than an officer, although there appears to be a push towards more officer-like work. The clientele is predominately industry, not seeking to police people.*

Officers perceive that management may not be wholly committed to the mandate of the organization to "enforce environmental and wildlife laws." Since EB is a specialized agency, the term enforcement also needs to be precisely defined for officer clarity (this is covered in greater depth in the next section).

However, the research team notes that it found no concrete mission and vision statements beyond the mandate statement on the website.

Core to the role of officers is to ensure compliance with a legally enacted regulation, the violation of which is an offence under the Act to which it relates. This results in different types of operational scenarios which includes both high and low-risk work. This is a core understanding of law enforcement; law enforcement is promoting and upholding the law, rather than simply arresting perpetrators. Enforcement does not equate with using force, although EOs are able to use force if necessary.

This does not mean that every officer or analyst is required to do the same job, regardless of background or organizational need. It may be an internal EB decision to recognize that EB requires specialized roles not typically associated with law enforcement: evidence gathering, testing and analyzing materials. EB may also recognize that officers have greater need of flexibility when enforcing EB mandates; for example, allowing officers to determine the tools and clothing to wear when on a specific mission in conjunction with management approval. However, these should be done in support of the overall mandate.

EB management also must clarify exactly where and how EB officers should act when coming across non-mandate situations. This includes ensuring EOs are aware of the mandate and their own scope and



## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

capabilities. Due to its size and broad mandate, the RCMP will *always* provide more assistance to EB than vice versa.

***Deduction 6.1 - Officers perceive that management is not wholly committed to the organizational mandate of enforcing environmental and wildlife laws in Canada.***

***Deduction 6.2 - Internal EB communications should support, in both word and spirit, EB's mandate of enforcement, taking care to recognize the wide variety of EB enforcement activity.***

### 6.3 Define the term enforcement as it applies to EB

*Officers and management have different interpretations of EB mandate and what enforcement means and does not mean for an EB officer.*

*This misalignment is one of the, if not the, most significant risk exposures EB faces. It drives organizational dysfunction and directly puts officers at greater risk.*

EB works in an extremely wide variety of environments with a wide selection of clients and threat models. Enforcement work includes a broad variety of activities from receipt of information or complaints to site inspections, obtaining required judicial authorizations, evidence gathering including searches, materials and information analysis, personal interactions and interviews, research, case preparation, court document service, evidence presentation and more. The specialized nature of EB's enforcement work also permits ongoing site inspections to ensure regulatory compliance. EB's work, especially that of EED, also includes activities not commonly associated with law enforcement: sampling, site testing, analysis of materials, and site/facility examination. This includes interaction with persons, including representatives of corporations, that are potentially in violation of the law and liable to penalties. Some of these individuals have easy access to weapons. EB's enforcement work also includes returning to sites after the initial interaction, or even conviction, to ensure compliance. As stated in chapter five, EB works in a variety of physical locations including: remote locations, First Nation reserves, marine environment, forests, Inuit communities and the Arctic. Work performed by EB officers in both WED and EED is multi-faceted and demands specialized skills, training and equipment as well as effective intelligence, and targeted interagency cooperation. Even more importantly, it requires informed legislation and policies and organizational coherence driven by local managers and national leadership that develops and maintains an ongoing awareness of operational activities and issues.

In addition to noting what enforcement means for EB, it should also include an understanding of what enforcement does not entail in EB. EB states in the EOM that it is "NOT a first responder organization."

EB does not define what it means to the Branch. The leadership team informed the research team there is no readily-available and widely-accepted definition. As an example, for the purposes of this document, the definition of the National First Responders Organization will suffice: "a First Responder is any individual who runs towards an incident instead of away from it." (National First Responders Organization, 2014) The EB Use of Force Directive [4-8-1] states that "The EB will support officer decisions to tactically reposition at any point in a situation if, in the officer's judgment, the officer justifiably believes the situation is or has developed beyond the scope of their training, the limits of their personal ability or the limits of their defensive equipment." However, during the interview process, many officers stated a desire to increase the equipment, policy, and training capabilities to 'run towards an incident instead of run away from it.' For example, some officers stated a desire for vehicle pursuit authority and criminal code amendments, including EOs under the criminal code.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

These statements do not appear to align with EB policy, which states that EB will always support the 'tactical repositioning' of officers if officers feel it is necessary. Core to this is that enforcement does not always rely on the officer using force, or the threat of force, to uphold the law at that specific moment.

Regardless of the outcome in this situation, officers, managers, and HQ must align on the following fundamental question:

**Is the role of an EB officer one of a peace officer and first responder who is responsible for public safety, or is the role of an EB officer a peace officer who specifically enforces the EB mandate?**

This misalignment of visions was a constant in interviews. Officers stated that facing the public means they face specific dangers to themselves and at times feel responsible for the safety of those with whom they interact. Leadership in Ottawa correctly notes this is not part of the EB mandate. Even though both EOs and HQ raise valid points, the current split is not tenable. In the view of the research team, an organizational understanding of exactly what enforcement does and does not mean is crucial to ensuring the functionality of the organization moving forward. Clarifying this definition will provide long-term strategic benefits and an improved working environment across the entire organization with a specific reduction in officer risk exposure. For example, if the cultural expectations are shifted to align with HQ's mandate, it is likely that a greater majority of EOs will likely:

- Be less hesitant to transfer risk on partner organizations, and feel less pressure to 'do the job themselves'.
- Demonstrate greater hesitancy to place themselves in dangerous situations, and then a greater willingness to extract themselves from bad situations.

This misalignment impacts EB and complicates nearly every question with which the organization wrests:

- What is the proper uniform policy?
- Is it appropriate to arm EED officers?
- What parts of training should be prioritized?
- Is it appropriate for EB to expand EO law-enforcement capabilities?
- What is the proper hiring profile for specific positions in EB?
- How much risk should EB officers transfer to other law-enforcement organizations?
- Should EO peace officer status be expanded beyond its current state?

Whatever the direction that EB decides to move, this fundamental question must be addressed. EB must ensure organizational buy-in at all levels as to what enforcement means and does not mean.

***Deduction 6.3*** - *EB's mandate is extremely broad and presents a challenging and unique situation for officers. To carry out its mandate, EB requires specialized skills, training, equipment, proper intelligence, interagency cooperation, and strong communication between all levels of the organization.*

***Deduction 6.4*** - *EOs and HQ are misaligned on whether EB officers are first responders or not. This misalignment is a major cause of organizational confusion between HQ and EOs and significantly increases the risk exposure of EOs and EB.*

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

### 6.4 Enforcement Branch hiring processes

*It is not clear that EB recruits and new EOs are always suited for their positions.*

Many officers noted challenges within the EB's hiring processes. Avoiding an expansion of scope, the Northgate Group did not examine hiring processes, but there are tangential areas where hiring processes can impact the overall strategic risk of the organization.

One individual noted that hiring processes did not always identify the correct individual for positions in the organization:

*"People should be hired for the right position. Putting someone in a uniform creates risk if they are not willing to use the tools that are in their hands. HR needs to ensure that enforcement-minded people are put in the correct positions... If you have a belief that you are a scientist, you will likely have a different approach towards how you interact with people. This is different from how someone with an enforcement mindset would act. Not a bad thing – however, it carries risks when put in an enforcement atmosphere."*

The officer further noted that this worldview affects basic interactions with people.

This touches on several different aspects of work within the organization, and specifically EED. From a mandate perspective, a broad spectrum of work is required to fulfill EB's mandate of enforcing environmental and wildlife laws and officers must be able to fulfill it. This is noted in the Directive on Officer Psychological Assessment (3-2-3).

This is a predictable outcome to the previous findings that the agency has an unclear mandate and differing opinions on what 'enforcement' means. However, noting that officers require a broad spectrum of skills, EB should seek to ensure that hiring practices are in line with job requirements.

**Deduction 6.5** - *EB requires a review of hiring processes and their implementation, from recruitment to completion of basic training to ensure the proper candidates are recruited, interviewed, hired, and trained, and finally that on-boarding is effective and complete.*

### 6.5 Succession Planning

*The research team could not identify a concrete succession plan for an EO to follow from introduction to EB until retirement.*

Officer mobility would be a valuable addition to EB. The ability for officers to navigate an easy-to-understand career plan and rise through the ranks of the organization creates great value for the team and provides the opportunity for EOs to fulfill their potential. By working to ensure a better and more fluid promotion structure, EB can ensure improve retention of capable staff and ensure that individuals have a way to grow within the organization.

EOs require significant training to effectively and competently enforce their legislation and protect themselves from harm. It would benefit EB to develop a formal succession planning system to guide and develop new recruits from introduction to EB to potential fulfilling EB leadership positions. From the author's experience and reviewing the main deductions in this chapter, a succession plan based on the following steps could increase the effectiveness of EB in directing operations through an increased emphasis on merit and logical progression through the organization.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

Rank	Description	Pay rank
<b>Recruit</b>	Not an employee until designation complete.	N/A
<b>Basic Enforcement Officer</b>	Officer completes a mentorship program and passes secondary exams based upon the LNA (roughly 1-2 years)	GT-4
<b>Enforcement Officer</b>	The current position as described.	GT-5
<b>Advanced Enforcement Officer</b>	This includes the addition of SME training cadre and mentorship responsibilities.	GT-5
<b>Intelligence Officer / Major Case Management SME</b>	Officers would be identified for alternative roles within EB that would involve the support of frontline field officers.	GT-6
<b>Operations Manager</b>	The Current position with enhanced training in operations and operational risk management.	GT-7
<b>HQ Secondment</b>	EO would work at National HQ for a period of 6-12 months in an advisory position to support knowledge transfer in a two-way direction. This could occur in any of the previous three steps and would be a requisite for RD work.	As the officer had at previous position
<b>RD</b>	The current position as described.	As current

This would create a distinct and systematic plan for EOs to follow as they progress over the course of their careers. EB would be able to effectively identify the 'best and brightest' and encourage career development along multiple paths in the organization.

Improving this process will likely involve Environment and Climate Change Canada and a review of Public Service policies to ensure that EB has fuller control over its own internal hiring and promotion processes. More specifically, the ability to design a progression model based on experience, training, performance and merit would be of great value to EB. This should include the use of annual performance reports when determining appointments.

**Deduction 6.6** - EB does not have a documented HR process that maximizes the potential of its HR capacity through identifying and promoting the 'best and brightest' within its ranks using a merit-based pro-motion structure.

## 6.6 Chain of command

*Inefficiencies within EB's chain of command create inefficiencies and poor use of resources.*

During the interviews, the research team noted a lack of communication and cooperation between the Directorates. This is not surprising given the fact that WED and EED are independent Directorates. However, the scarcity of operational resources suggests a more coordinated approach could allow for a better application of EB resources.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

There is an identifiable concurrence of issues and operational and supporting activities that apply to both Directorates. The CEO may wish to examine the current organizational structures and staffing allocations to maximize productivity and support internal EB coordination. This same kind of analysis is also of potential value in the five regions for both EED and WED as well.

The May 1998 Standing Committee on Environment and Sustainable Development recommended a more centralized approach to the enforcement of Canadian environmental legislation. The wording is as follows:

- (a) the Minister of the Environment revise the Department's current structure to establish an independent centralized enforcement agency, with regional branches, that would report directly to the Minister of the Environment;
- (b) in setting up an independent centralized enforcement agency, the Minister of the Environment ensure that enforcement decisions are not made by officials having managerial functions and responsibilities in areas other than enforcement;
- (c) the Minister of the Environment take the necessary steps to ensure that the independent enforcement agency acquires the status of an investigative body and that it be designated as such for the purposes of the Access to Information Act.

The second recommendation has positive implications for officer safety. Having an empowered and focused enforcement managerial staff would also facilitate effective centralized planning and targeting of EO operational activities.

***Deduction 6.7 - The current decentralized management structure results in duplication, siloed activities and non-optimal use of scarce resources.***

6.7 Divide between officers and HQ

*Officers stated they have a lack of trust in HQ and its actions, believing that it acts in its own interests over those of the EOs.*

Multiple officers and managers raised concerns about the level of support HQ would provide in times of crisis for officers. Respondents at all levels stated this, although by no means did every officer say they felt the same lack of support. The research team notes that divides between HQ and front-line employees are common, irrespective of organization, but in EB's case they appear particularly acute. The presence of these comments from all regions should be of concern to EB HQ. Officers enunciated some of the following themes:

- A lack of support from the organization for day-to-day officer activities.
- Repeated fears that HQ would not support an officer if an officer were to use force in carrying out his or her duties.
- A perception that HQ's initial reaction in all situations would be to not support the EO, but rather protect itself.
- HQ's inability to properly understand the role of an EO and the dangers EOs face in their work.
- HQ's lack of field experience limits its ability to properly understand and direct the work of EOs.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

The research team notes that aspects of this divide stem from an organizational schism on the role and meaning of enforcement in EB. This misalignment is a primary cause of officer-HQ confusion; if officers feel expanded law-enforcement capabilities are necessary to do their jobs and fulfill their mandate while HQ believes this to be outside of scope, confusion and misunderstanding are unavoidable. Better defining the specific roles of EOs, and modeling and communicating exactly how HQ will support officers can result in increased officer understanding of the overall scope of work. HQ must also work to counteract the perception, real or not, that HQ's initial reaction is to question rather than support the officer.

This does not change the uncomfortable fact that HQ does not have field experience. While the research team notes that policy development and organizational direction do not require field experience per se, they also benefit from multiple perspectives, especially of people who have 'been there.' Creating a program to second EOs into the HQ environment for specific rotations could have huge benefits for EB.

- Having more operational experience at HQ would allow for a more diverse skill set in solving specific organizational problems.
- Increased interactions between EOs and HQ would increase understanding and trust through different levels of the organization.

In both cases, this would serve to address the EO perception that HQ does not sufficiently support EOs in their work. To this point, one member of the management team informed the research team of an increased opportunity for HQ ride-alongs with EOs. This would be an excellent initial move towards greater integration and communication between HQ and field staff, and would increase communication and informal links between different levels of the organization, which are important indicators of organizational cohesion and trust between entities.

***Deduction 6.8*** - Many officers in the organization stated a lack of trust in HQ. HQ must redress and speak to this stated lack of trust and support from front-line officers.

***Deduction 6.9*** - Identifying specific positions on rotation inside HQ for experienced and proficient EOs such as in the CEO suite, operations, policy, training and intelligence may provide a better link.



## 7 Options for EB

### 7.1 Chapter Summary

With regards to officer safety at the tactical, operational, and strategic levels, the authors believe the *status quo* is not an option for EB; change must come to address the current state of EO risk exposure. The research team firmly believes that many of the changes to enhance EO safety should occur at the strategic level; this would provide EB with the tools to simultaneously improve its effectiveness in enforcing its mandate, better apply its resources, and reduce EO risk exposure. TNG notes that organizational change is difficult and to succeed, it requires a significant investment of time and resources, a campaign plan, and complete buy-in from the leadership team. The intent of this chapter is to provide EB with ideas and options to consider for eventual implementation.

Deductions in this report are derived from interviews with front-line EOs, RDs, and HQ staff, as well as from a review of EB documentation, government reports, and other literature. The unique expertise and experience of the research team conducting the study played an important role in the understanding of the challenges faced by the EB and in the development of options on the way ahead.

The following are not recommendations but rather options for EB consideration. EB leadership, working with key internal and external stakeholders, is in a better position to evaluate the advantages and disadvantages each position presents. Moreover, through a review of these options, EB will likely determine additional courses of action that are more appropriate for EB; these too should be considered.

### 7.2 Deductions

The research team identified 101 deductions in this report. EB should be aware of these deductions to consider when reviewing operational efficiency. Deductions are broken into three different horizons based upon the time, in the opinion of TNG, required for implementation. They are not ranked in order of priority as EB is in a position to determine priority.

	Time Frame	Reasoning
<b>Horizon One</b>	1-6 months	EB can likely accomplish these within its current structure do not require wholesale change.
<b>Horizon Two</b>	6-12 months	These have some change that needs to be done before implementation, but it is not on the organizational level.
<b>Horizon Three</b>	12-36 months	These require far more in-depth approval, legislative change, or significant DG investment.



Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

7.2.1 Horizon one

The deductions in this section are ones that the research team believes require little planning and, from initial decision to final implementation, should be actionable within six months.

***Deduction 3.1*** - Identify and develop officers within the Branch whose primary role will be to liaise with First Nations peoples. These officers will be responsible for work on First Nations reserves and display the appropriate cultural awareness and sensitivities this requires.

***Deduction 3.4*** - Ensure time is available to use a risk-based approach to prepare officers for the specific conditions they face in their jobs, especially in an industrial setting.

***Deduction 3.8*** - Ensure basic training includes situation control, appropriate behaviour, and defensive posture when entering the residence of a person, particularly when that individual has access to weapons.

***Deduction 3.9:*** Strategic communications messaging directed toward understanding of the need for the laws and regulations being enforced by EB should be planned and effectively disseminated in regions where EO's could be at risk.

***Deduction 3.10*** - Officers do not fully utilize MOUs with partner organization for investigations that involve organized crime.

***Deduction: 3.11*** - Ensure EED and WED officers obtain the support required from local law-enforcement bodies.

***Deduction 4.1:*** A managed Operational Risk Management framework could assist in mitigating the risks EOs face in the conduct of their tasks.

***Deduction 4.6:*** EB should examine Quebec to determine why officers are satisfied and determine which practices can be expanded across the country.

***Deduction 4.7:*** CPIC should be prioritized within the intelligence branch where possible to ensure proper use, incorporation, and analysis of data.

***Deduction 4.8:*** CPIC's use in the preparation of a case can support a turn towards an intelligence-led organization.

***Deduction 4.17.*** Hiring and training of Intelligence analysts and officers does not appear to be a priority for EB.

***Deduction 4.19.*** Gavia's roll out does not seem to be achieving many positive results and the EOs lack training on it.

***Deduction 4.20.*** EB's internal reporting and information-sharing procedures do not appear to promote field-officer input of information, requests for information and distribution of national Intelligence briefs to EED and WED officers and managers.

***Deduction 4.25:*** Different standards create disparities in officer safety. EB would benefit from a better understanding of organizational best practices and application.

***Deduction 4.26:*** Addressing the shortfall of BB use in emergency situations is a priority for EB.

***Deduction 4.27:*** Ensure ongoing SAT phone training for officers whose activities require it.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

***Deduction 4.28:*** Identify and map SAT phone dead zones where possible to better understand implications for officer safety.

***Deduction 4.30:*** SPOT does not appear to satisfy the EO requirement as an effective emergency-communications system.

***Deduction 4.35.*** The use of the BB as the main means of communications should be reviewed. If impossible to change at least identify where coverage is weak or does not exist and that a formal and reliable means be provided with an emergency communication capacity.

***Deduction 4.42.*** Course trainers do not always enforce standards for re-certifications and EB accepts the employment of officers in the field that have not met requirements.

***Deduction 4.45.*** EOs perform special operations that place themselves at unreasonably high levels of risk. The research team believes EB should cease these operations until such time as it can confirm that the proper policies are developed and followed, EO training is developed and meets standards, operational communications are improved, and EOs use a clear operational framework.

***Deduction 5.4:*** EB is unknowingly and needlessly exposed to high levels of risk through inappropriate high-risk policy. EB is likely unaware, as individuals and an organization, the implied risk tolerance the organization has assumed.

***Deduction 5.8:*** Officers and management have different understandings of the current policy and implement it differently across the country. Officers work alone for a wide variety of reasons and EB should take steps to ensure that officers and management are aware of current risk-assessment and work-alone policies.

***Deduction 5.20 -*** Some EOs believe the existence of a quota system. EB should examine this to ensure that no quota system, formal or informal, is in place.

***Deduction 5.21 -*** Headquarters did not fully address the previous rumours of the existence of a quota system.

***Deduction 5.22 -*** Officers are not fully aware of the limits of their mandate legislation with regards to their enforcement capabilities.

***Deduction 6.1 -*** Officers perceive that management is not wholly committed to the organizational mandate of enforcing environmental and wildlife laws in Canada.

***Deduction 6.2 -*** Internal EB communications should support, in both word and spirit, EB's mandate of enforcement, taking care to recognize the wide variety of EB enforcement activity.

***Deduction 6.4 -*** EOs and HQ are misaligned on whether EB officers are first responders or not. This misalignment is a major cause of organizational confusion between HQ and EOs and significantly increases the risk exposure of EOs and EB.

***Deduction 6.8 -*** Many officers in the organization stated a lack of trust in HQ. HQ must redress and speak to this stated lack of trust and support from front-line officers.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

7.2.2 Horizon two

The deductions in this section require additional planning and resource allocations and could be addressed within one year, from initial decision to final implementation.

**Deduction 3.2** *Ensure officers have adequate access and regular training on the employment of wildlife-protection equipment. (i.e. Shotguns with lethal or non-lethal slugs)*

**Deduction 3.3:** *Ensure officers are properly trained, receive refresher training and have access to proper equipment to handle dangerous exotic animals.*

**Deduction 3.5** *Use intelligence and interagency cooperation to better assess dangers in industrial settings.*

**Deduction 3.6** *Support EO safety through better intelligence processes to support their ability to understand a situation prior to arrival.*

**Deduction 3.7** *Institute a standard set of background checks and intelligence measures to improve officer safety when conducting inspections or delivering summons on farms.*

**Deduction 3.12** *An improvement in EB intelligence capabilities could decrease the risk exposure faced by EB officers.*

**Deduction 4.2:** *An increased emphasis on proactive or "deliberate" planned operations would maximize the use of EB resources, directing them to areas with known, or at least probable, outcomes can occur.*

**Deduction 4.3:** *EB intelligence policy does not line up with HQ's operational direction.*

**Deduction 4.4:** *EB has not reviewed and modified intelligence policy in such a way that it reflects that of an intelligence-led organization. This was a recommendation from the 1998 Parliamentary Report and 2011 AG Report.*

**Deduction 4.9** - *Address issues of non-documentation. To ensure EOs are better aware of risks, the Branch may wish to develop and implement a new national standardized procedure for officers to report hazardous occurrences for entry into an accessible database such as Gavia. Improved access to higher quality data will encourage EO use of Gavia and CPIC in advance of in-field operational work.*

**Deduction 4.12** - *Better training programs for officers and intelligence analysts can increase the capacity of the EB to rely on social media as a source for information and evidence while also reducing officer risk exposure.*

**Deduction 4.13** – *The Branch may wish to turn its Intelligence Renewal Project into a program with a strategic communications plan to be provided to all EOs and followed up by in-field briefings by HQ and local intelligence personnel.*

**Deduction 4.14** – *Establishing a position of Senior Intelligence Director (SID) reporting to the CEO would provide a single focal point for intelligence (INT) within EB. A SID working with the Operations Director, exercising functional authority over all intelligence staff would be an important step towards becoming an intelligence-led organization.*

**Deduction 4.16** - *The Branch does not have appropriately trained and skilled persons that are active in those positions at both an analytical and managerial level.*

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

***Deduction 4.18 - INT analysts and officers do not have any specific mandatory intelligence training.***

***Deduction 4.21 - EB does not appear to have the appropriate designation (level of access) to the CPIC. Giving all EOs CPIC access and ensuring its use is crucial to establishing advance risk awareness.***

***Deduction 4.22. EB officers, both EOs and intelligence officers do not have full statutory authorization to share and receive law-enforcement related information from other federal and local law-enforcement agencies as well as international agencies with whom they work.***

***Deduction 4.29 - Radios could be of great value to support EOs in their activities but there are practical and logistical challenges that stand in the way of implementation.***

***Deduction 4.31 -Any revisions to SPOT should also be accompanied by internal communications and training updates to ensure it is used as EB envisions.***

***Deduction 4.32 - Multiple offices are using different systems with important shortcomings and indicates the flawed state of EB emergency communications.***

***Deduction 4.36 -The development of an instructor cadre is crucial to the ongoing development and professionalization of EB.***

***Deduction 4.38. - The Learning Needs Analysis and Design Report 201ti should be reviewed for its merit and used by leadership as the first steps in establishing an EBPDS.***

***Deduction 4.39 - The EB needs to conduct a Training Needs Assessment (TNA) to standardize their training and ensure consistency.***

***Deduction 4.43 - There is no designated, dedicated trained instructor cadre. The present process of accepting anyone available, not necessary SMEs, raises EO and EB risk exposure.***

***Deduction 4.44 - There is no Chief Instructor or Chief Standard's Officer positions identified in EB to support the development and provision of professional training at a designated standard.***

***Deduction 4.46 - The ballistic vests do not appear to be standardized across EB and officers are not clear about what level of protection their vest provides.***

***Deduction 4.47 - Some changes occurred with regards to vest standards in at least one region; EB should ensure that all ballistic vests meet minimum requirements for the particular threats EOs face.***

***Deduction 4.49 - Explore a "dress for the task" policy where a risk assessment is conducted at the Regional Level and the Officer's PPE adjusted for the mission.***

***Deduction 5.2 - Improved Directorate information sharing will improve officer safety.***

***Deduction 5.5 - EB should take steps to address the officer perception that their insight is not valued and incorporated into policy changes.***

***Deduction 5.6 - EB should take all available sources of information to create and improve policy where available, especially sources with field and operational experience.***

***Deduction 5.7 - The policy as written is generally sufficient, but does not take into context the current realities that officers face in terms of a lack of communications, resource deployment, intelligence, protection equipment, and cooperation with other law-enforcement bodies.***

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

**Deduction 5.9** - *Ongoing and increasing complexity of investigations requires capability development on the part of EB.*

**Deduction 5.10** - *Due to the presence of organized crime and an international element, EB requires improved intelligence capabilities and collection of MOUs to facilitate the initiation, recognition, and handing off cases where appropriate.*

**Deduction 5.17** - *Officers are not always aware of MOUs that exist at different levels of the organization that can promote interagency cooperation at their level.*

**Deduction 5.18** - *Officers are not aware of the scope of MOUs that can support them in their work and promote interagency cooperation. Officers do not consistently use the functions of MOUs to transfer risk to other agencies that are better suited to deal with the situation.*

**Deduction 5.23** - *EB has not yet implemented policy with regards to the provision of research and covert computers for officers and analysts.*

**Deduction 5.24** - *Include specialized training for the collection and exploitation of open-source and social-media materials in social-media policy.*

**Deduction 6.5** - *EB requires a review of hiring processes and their implementation, from recruitment to completion of basic training to ensure the proper candidates are recruited, interviewed, hired, and trained, and finally that on-boarding is effective and complete.*

**Deduction 6.7** - *The current decentralized management structure results in duplication, siloed activities and non-optimal use of scarce resources.*

**Deduction 6.9** - *Identifying specific positions on rotation inside HQ for experienced and proficient EOs such as in the CEO suite, operations, policy, training and intelligence may provide a better link.*

*\*Specific, targeted, and small modifications to legislation can support EB sustainability.*

### 7.2.3 Horizon three

The deductions in this section are ones the research team believes will require more in-depth planning, a champion, a change management framework and potentially, project managers. From decision to final implementation, this process will likely take between 12 and 36 months.

**Deduction 4.5** - *Officer feedback suggests the need for an overhaul of the entire intelligence process including: setting clear expectations; determining policies and procedures; implementing adequate training; recruiting and staffing the required positions; and ensuring organizational accountability for the use, production, and integration of intelligence into the organization.*

**Deduction 4.10** - *Encourage and improve EO capacity to search within EB documentation to support officer safety and threat assessments.*

**Deduction 4.11** - *EOs do not see how increasing documentation of safety incidents can build up an EB knowledge base on officer safety. This is the responsibility of management to address, this is possible via a dedicated strategic communications program.*

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

**Deduction 4.14** - *Better training programs for officers and intelligence analysts can increase the capacity of the EB to rely on social media as a source for information and evidence while also reducing officer risk exposure.*

**Deduction 4.15** - *The establishment of an INT Coord manager to deal with inter-regional and inter-directorate issues, performance measurement, and quality control coordinating through the National Intelligence Manager Conference Call and an INT manager who is responsible to strategic INT for both EED and WED at HQ and outreach with other GoC Intelligence organizations.*

**Deduction 4.23** - *EB HQ and regional officers do not seem to have awareness of and access to crucial information-sharing tools to act as force multipliers in their work. Examples of this include relevant interagency operational activities, such as the Marine Security Operations Centres (MSOC), and digital identity verification cyber security technology.*

**Deduction 4.24** - *There are no operational policies and training for the use of social media that incorporate both intelligence and investigative purposes*

**Deduction 4.33** - *Before procuring additional means of communication, the EB should conduct an immediate review of EB officers' field communications systems to determine how they are being used, then modify processes to maximize their efficiency and implement training on each system's use.*

**Deduction 4.34** - *Explore the development of an EB dispatch capability for each region for SA and directing operations. In the interim, wherever possible, take steps to ensure that officers in the Regions are part of a secure provincial law enforcement communications system and explore options to develop more formal relationships with partnering agencies.*

**Deduction 4.37** - *EB's basic training still does not provide training on all relevant laws and regulations that EOs are expected to enforce upon graduation, nor is there a formal continuous training regime in mandate legislation or EB policy.*

**Deduction 4.40** - *Professional Development (PD) is lacking for each level within the organization and would be used to support succession planning.*

**Deduction 4.41** - *There is no formal succession planning process.*

**Deduction 4.48** - *A study or in-depth analysis should be conducted to properly determine of the dress code for the EED. Is the title "Enforcement Officer" enough to warrant the amount of PPE that all Officers must wear all the time? The fact that many do not adhere to this policy raises concerns amongst the authors.*

**Deduction 4.50** - *There ought to be some consideration to changing the colour of the uniforms used by the EED.*

**Deduction 4.51** - *This study has not been able to determine without any doubt that all EED officers should be armed*

**Deduction 4.52** - *A review of the procurement and EO supply management system would be beneficial.*

**Deduction 5.1** - *Improved centralized intelligence capabilities will lead to better cooperation between the Directorates and improved resource allocation*

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

**Deduction 5.3** - *The EB would benefit from an internal, independent body to investigate complaints and cases against officers and ensure due process.*

**Deduction 5.11** - *The creation of a major case management program will necessitate better exchange and sharing of intelligence with other law-enforcement agencies and aid a shift towards an intelligence-led organization.*

**Deduction 5.12** - *The fact EB culture is one of non-documentation which reduces EB's ability to accurately assess the threats officers may face, plays out across multiple identified pillars for EB: intelligence production, threat assessment, records management, and situational awareness.*

**Deduction 5.13** - *EB's current RMS does not adequately inform officers of safety issues they face in an accessible and usable way that provides the required information in whole for intelligence and officers to use in their work.*

**Deduction 5.14** - *EB can improve strategic communications both internally and externally to support officer morale, improve organizational cohesion and contribute to EB success in achieving its mandate goals.*

**Deduction 5.15** - *Increased strategic communications can promote clarity of mission for all members of the organization.*

**Deduction 5.16** - *EB has the policy framework to allow for local, regional, national, and international MOUs within the organization as required.*

**Deduction 5.19** - *A greater reliance, identification, and use of MOUs across the organization will aid a cultural shift towards an intelligence-led organization. Increased involvement of partner law-enforcement agencies requires a greater flow of information, integration with other sources of intelligence, better risk transference, and a more strategic outlook on Branch work.*

**Deduction 5.25** - *EB would benefit from a specific policy that focused on the use of social media for investigative and intelligence purposes to better inform officers as to the best courses of action for them to take.*

**Deduction 6.3** - *EB's mandate is extremely broad and presents a challenging and unique situation for officers. To carry out its mandate, EB requires specialized skills, training, equipment, proper intelligence, interagency cooperation, and strong communication between all levels of the organization.*

**Deduction 6.6** - *EB does not have a documented HR process that maximizes the potential of its HR capacity through identifying and promoting the 'best and brightest' within its ranks using a merit-based pro-motion structure.*

*\* Legislative modifications can be complex issues and require coordination with other government bodies. This should also be incorporated into a strong internal and external communications or public-affairs strategy.*

*\* Through reviews of the organizational footprint, EB can likely find cost savings and efficiencies.*



Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

7.3 Option to provide EED officers with a sidearm

***Deduction 7.1 - This study has not been able to determine without any doubt that all EED officers should carry a sidearm.***

The study does not conclude that EED officers require a sidearm to fulfill the needs of their position at this time. This may change in the future, especially as organizational changes in the form of better intelligence, organizational structure, training, interagency cooperation, and communications show benefit.

However, the research team is not in a position to fully understand the organizational challenges, budgets, culture, priorities, and approval processes to recommend any one course of action. However, through this exercise, EB identified five potential options to consider. After review, EB HQ may determine that some of these courses of action could be viable and lead to further study and implementation either in whole or in part. This portion does not presuppose that EB may consider the current situation where EED EOs do not carry a sidearm to be a viable option.

Moreover, an infinite number of minute variations exist to these options. They are not fully comprehensive in terms of the proposals or the effects of any of the proposals. If EB were to decide to provide EED officers, or a subsection of them, with a sidearm, a full study dedicated solely to this question would be appropriate.

Finally, any investment in arming EED officers, either in part or in full must also be considered in terms of the immediate cost of its implementation as well as a delay on implementing other and, in the opinion of the research team, more pressing needs.

## Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

### Appendix – Areas to explore

#### A1 Organizational footprint

The interview process identified HR staffing as a primary concern for EB. Officers stated they were forced to work alone due to a small number of individuals at their regional office.

A significant portion of EO work consists of directed work that does not need to be done in the field. As a result, it could be worthwhile to consider locating officers in a smaller number of locations with a mandate to enforce regulations in the same geographical footprint. This could have multiple beneficial outcomes for EB:

- Serving in fewer locations would reduce the number of work- alones EOs must perform due to HR shortages,
- It would require a more centralized structure, as noted in the 1998 Parliamentary Report,
- This would force an increased reliance upon intelligence and planning,
- This could result in cost savings due to fewer staffing positions in the regions.



Figure 27 - Locations of officers, as provided by EB HQ at the start of the project.

The Northgate Group did not perform an in-depth analysis of all data to fully understand all aspects of this challenge; however, this could reduce EED risk exposure while providing for greater cost efficiencies for resource acquisition.

*\*Through reviews of the organizational footprint, EB can likely find cost savings and efficiencies.*

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

## 8 A2 Survey

Attached is a version of the survey that was provided to respondents. The majority of surveys were delivered in person and respondents had the opportunity to read along with the survey but were not provided the questions in advance. Other surveys were delivered over the phone. All surveys were provided in the language of the respondent's choice, either French or English.

### Demographics

This section serves to capture the demographics of interviewees.

1. What is the interview code?
2. What is the interviewers name?
3. What is your gender?
  - ☐ Male
  - ☐ Female
4. What is your highest level of education achieved?
  - ☐ High school
  - ☐ College
  - ☐ Undergraduate University
  - ☐ Postgraduate
5. What post location do you work at?
  - ☐ CD Burlington
  - ☐ Calgary
  - ☐ Corner Brook
  - ☐ Cranbrook
  - ☐ Dartmouth
  - ☐ Edmonton
  - ☐ Fort McMurray
  - ☐ Fredericton
  - ☐ Gatineau
  - ☐ Iqaluit
  - ☐ Moncton
  - ☐ Montreal

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- ☐ Mount Pearl
- ☐ Nanaimo
- ☐ North Bay
- ☐ Ottawa
- ☐ Prince George
- ☐ Quebec City
- ☐ Regina
- ☐ Sackville
- ☐ Saskatoon
- ☐ Sault Ste. Marie
- ☐ Smithers
- ☐ Sydney
- ☐ Toronto
- ☐ Vancouver
- ☐ Whitehorse
- ☐ Windsor
- ☐ Winnipeg
- ☐ Yellowknife

6. What branch do you currently work in?

- ☐ WED
- ☐ EED

7. Are you designated?

- ☐ Yes, full designation
- ☐ Yes, partial designation
- ☐ No

8. If designated, what acts are you designated under? (Select one only)

- ☐ Wildlife act
- ☐ Fisheries act
- ☐ CEPA (Canadian Environmental Protection Act)
- ☐ Cross Designated
- ☐ Other
- ☐ Not designated

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

9. What is your position?

- ☐ Enforcement Officer
- ☐ Intelligence Officer
- ☐ Management
- ☐ Executive

10. How long have you been with the Enforcement Branch?

- ☐ Less than one year
- ☐ One to less than five years
- ☐ Five years to less than 10 years
- ☐ 10 years and up

11. How long have you held this position?

- ☐ Less than one year
- ☐ One to less than five years
- ☐ Five years to less than 10 years
- ☐ 10 years and up

12. What is the number of locations you have worked at?

- ☐ 1 location
- ☐ 2 locations
- ☐ 3 locations and up

13. Did you have any previous law-enforcement experience when hired? (If multiple, select the most pertinent one)

- ☐ No, no previous law-enforcement experience
- ☐ Yes, with one organisation
- ☐ Yes, with multiple organisations

Please elaborate if necessary

**Job Activities**

14. What specific enforcement or investigative duties and/or actions do you perform?

- ☐ Inspection
- ☐ Patrol

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- ☐ Investigation
- ☐ Surveillance
- ☐ Evidence collection (including sampling)
- ☐ Undercover work
- ☐ Court appearance
- ☐ Joint operations
- ☐ Execution of search warrants
- ☐ Arrests of individuals
- ☐ RTCC (Reports to Crown Counsel)
- ☐ Lay Charges

Please elaborate on any activities that are a danger to you if not listed above. Please give examples.

15. What associated officer-safety risks have you faced in the carrying out of your duties?

- ☐ Wildlife-related dangers
- ☐ Verbal threats
- ☐ Physical altercations
- ☐ Threat of weapons
- ☐ Use of weapons
- ☐ Fear of reprisals from criminal structures
- ☐ Occupational health and safety (OHS) related
- ☐ Other

Other

Please give examples

16. What type of threat agents have you encountered in the course of your work?

- ☐ Dangerous wildlife
- ☐ Hunters
- ☐ Farmers
- ☐ Lone or individual criminals
- ☐ Organised crime
- ☐ Environmental (OHS)
- ☐ Other

Other, please specify.

Please provide examples.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

17. How do you report incidents?

18. Have you ever been assaulted in the course of your work?

- ☐ Yes, with no injuries
- ☐ Yes, with an injury that did not require hospitalization
- ☐ Yes, with an injury that required hospitalization
- ☐ No

Please provide examples

19. Has a person threatened or assaulted you with a weapon in the course of your work?

- ☐ Yes, an object re-purposed as a weapon (i.e. kitchen implement, tire iron, etc.)
- ☐ Yes, a motorized vehicle
- ☐ Yes, a blunt-force weapon
- ☐ Yes, an edged weapon
- ☐ Yes, a firearm
- ☐ Yes, other
- ☐ No, I have never been threatened or assaulted with a weapon while at work

Please provide examples

20. On average, how frequently do you encounter people with weapons?

- ☐ On a weekly basis
- ☐ 1-3 times/month
- ☐ 1-10 times/year
- ☐ Less than once/year
- ☐ Never

Please provide examples



Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

21. In your opinion, has the job become more or less dangerous over the past five years (or, if you have not worked here for five years, since you started)?

- ☐ Yes, it has become more dangerous
- ☐ It is roughly the same.
- ☐ It has become less dangerous

Please provide examples

22. What locations have you encountered threats at? (Grade these on a scale of 1-5, where 1 is absolutely safe and 5 is extremely dangerous)

	Extremely safe					Extremely dangerous	N/A
Urban	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rural	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Forest	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mines	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Industrial	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Marine	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reservations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Border	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Arctic	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protected Areas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide examples for the most dangerous situation

23. Do you work in work-alone situations?

- ☐ Yes
- ☐ No

Please provide examples

24. Do you work in remote areas?

- ☐ Yes
- ☐ No

Please provide examples

25. How often do you assist your sister organization (WED assisting EED, or EED assisting WED)?

- ☐ Weekly
- ☐ 1-3 times/month
- ☐ 1-10 times/year

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

☐ Less than once/year

☐ Never

Please provide examples.

26. How often do armed law-enforcement bodies require you to assist them in their duties?

☐ On a weekly basis

☐ 1-3 times/month

☐ 1-10 times/year

☐ Less than once/year

☐ Never

Please provide examples

27. How often do you require assistance from other armed law-enforcement bodies in advance?

☐ On a weekly basis

☐ 1-3 times/month

☐ 1-10 times/year

☐ Less than once/year

☐ Never

Please provide examples

28. How often do you require assistance from other armed law-enforcement bodies after arrival on scene?

☐ One a weekly basis

☐ 1-3 times/month

☐ 1-10 times/year

☐ Less than once/year

☐ Never

Please provide examples

29. What is the typical response time when requesting armed backup in case of emergency?

☐ I have never requested armed backup when faced with an emergency

☐ 20 minutes or less

☐ 21-45 minutes

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

☐ 46 to 90 minutes

☐ Greater than 90 minutes

Please provide examples

30. Have you ever undertaken vehicular pursuit of a suspect?

☐ On a weekly basis

☐ 1-3 times/month

☐ 1-10 times/year

☐ Less than once/year

☐ Never

Please provide examples

31. Have you ever received training for vehicular pursuit?

☐ Yes

☐ No

Please elaborate

Include when, and how often if available

32. Have you ever had to intercept and search a subject?

☐ On a weekly basis

☐ 1-3 times/month

☐ 1-10 times/year

☐ Less than once/year

☐ Never

Please provide examples

33. Have you ever received training to intercept and search a suspect?

☐ Yes

☐ No

Please give examples.

Include when, and how often if available.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

34. Have any of your investigations/seizures/arrests involved persons also engaged in criminal activity?

- ☐ Yes
- ☐ No

Please provide examples

**Equipment provided**

35. How well does the officer-safety protection equipment protect you in your duties?

- ☐ I have no concerns about the equipment EC provides me
- ☐ There are some small concerns about what EC provides me
- ☐ The equipment EC provides me is insufficient to my needs

Please provide examples

36. Do you see value in having an on-body and/or car camera?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide examples

37. How often does the Environment Canada field-safety communication system not meet your needs?

- ☐ On a weekly basis
- ☐ 1-3 times/month
- ☐ 1-10 times/year
- ☐ Less than once/year
- ☐ Never

Please provide examples

38. Do you have access to CPIC databases?

- ☐ Yes, uninterrupted access on the road and office
- ☐ Yes, in the office and limited access on the road
- ☐ Yes, only in the office
- ☐ No

Please provide examples

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

39. Does the intelligence you receive provide adequate insight into the threats and risks you face in the carrying out of your duties?

- ☐ Yes
- ☐ No
- ☐ Maybe
- ☐ I don't know

Please provide examples

**Environment Canada Policies**

40. Have EC officer-safety policies hindered you from completing your work?

- ☐ Yes
- ☐ No

Please provide examples

41. Are there problems in any of the mandate legislation that need to be addressed in regards to your safety?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide examples

42. Does the fact that WEDs carry arms while EEDs do not impact officer safety?

- ☐ Yes
- ☐ No

Please provide examples

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

**Training**

43. Have you ever employed verbal de-escalation with a regulatee?

- ☐ Yes
- ☐ No

Please provide examples

44. Do you feel adequately trained to verbally de-escalate a potentially hostile situation?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide examples

45. Do you feel adequately/appropriately trained to face risks your job may present?

- ☐ Yes
- ☐ No

Please provide examples

46. Do you receive an adequate amount of annual refresher training to deal with OHS and safety-related risks?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide examples

47. Do you feel additional training could improve your safety in carrying out your duties?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide examples

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

**Issuance of sidearms**

48. Do you think it is appropriate for officers in your position to carry a sidearm?

- ☐ Yes, I agree
- ☐ No, I do not agree
- ☐ I am unsure

Please provide examples

49. Would you agree to carry a sidearm while performing your duties (this would have no impact on your employment)?

- ☐ Yes, I would agree to carry a firearm in the course of my duty
- No, I would not agree to carry a firearm in the course of my duty
- ☐ I already carry a firearm in the course of my duty

Please provide examples

**Wrap up**

50. Is there anything else you would like to speak about regarding officer safety?



Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

## Bibliography

- Canadian Centre for Occupational Health and Safety. (2017, May 23). *OSH Answers Fact Sheets*. Retrieved from Canadian Centre for Occupational Health and Safety: <https://www.ccohs.ca/oshan-swers/psychosocial/violence.html>
- Canadian Press. (2013, September 2). 'Sovereign citizen' movement worrying officials as 30,000 claim they 'freed' themselves from Canada's laws. Retrieved from The National Post: <http://nationalpost.com/g00/news/canada/sovereign-citizen-movement-worrying-officials-as-30000-claim-they-freed-themselves-from-canadas-laws/>
- Environment and Climate Change Canada. (2011). *Department response to recommendation 3.39 2011 December Report of the Commissioner of the Environment and Sustainable Development. Chapter 3—Enforcing the Canadian Environmental Protection Act, 1999. Office of the Auditor General*. GOC.
- Environment and Climate Change Canada. (2017). *ECCC*. Retrieved from ECCC Departmental Plan 2017-19: <https://www.ec.gc.ca/default.asp?lang=En&n=A3ti6C81F1&offset=3&toc=show>
- Frank E. Bird, J. a. (1985). *Practical Loss Control Leadership*. Loganville, Georgia: Det Norske Veritas.
- House of Commons. (2016, November 29). Standing Committee on Environment and Sustainable Development: Evidence. (39).
- Money Control. (2017, May 22). *Money Control -- Glossary*. Retrieved from Money Control: [http://www.moneycontrol.com/glossary/insurance/loss-exposure\\_1329.html](http://www.moneycontrol.com/glossary/insurance/loss-exposure_1329.html)
- National First Responders Organization. (2014). *Who is a First Responder?* Retrieved May 17, 2017, from National First Responders Organization: <http://www.nfro.org/who.html>
- Office of the Auditor General. (1999). *2011 December Report of the Commissioner of the Environment and Sustainable Development. Chapter 3 - Enforcing the Canadian Environmental Protection Act*. Ottawa: Office of the Auditor General.
- Office of the Auditor General of Canada. (2011, December). *2011 December Report of the Commissioner of the Environment and Sustainable Development*. Retrieved from Office of the Auditor General of Canada: [http://www.oag-bvg.gc.ca/internet/English/parl\\_cesd\\_201112\\_03\\_e\\_36031.html#def2](http://www.oag-bvg.gc.ca/internet/English/parl_cesd_201112_03_e_36031.html#def2)
- Organizational Culture Eats Strategy For Breakfast, L. A. (n.d.). Retrieved from <https://www.torbenrick.eu/blog/culture/organisational-culture-eats-strategy-for-breakfast-lunch-and-dinner/>
- Owen, G. (2015). *The CEO's proposed EB PSES action plan*. Unpublished.
- Parliamentary Standing Committee on Environment and Sustainable Growth. (1998, May). *Development, Report of the Parliamentary Standing Committee on Environment and Sustainable Growth*. Retrieved from Parliament of Canada: <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=1031521&File=18&Language=E&Mode=1&Parl=36&Ses=1#footback7272>

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

- PricewaterhouseCoopers. (May 2017, May 25). *Operational Risk Management*. Retrieved from PricewaterhouseCoopers: <http://www.pwc.com/la/en/risk-assurance/operational-risk-management-t.html>
- Public Prosecution Service of Canada. (2016, August 16). *Mandate*. Retrieved from Public Prosecution Service of Canada: <http://www.ppsc-sppc.gc.ca/eng/bas/index.html#mandate>
- Ratcliffe, J. (2008). *Intelligence-Led Policing*. Cullompton: Willan Publishing.
- Rick, T. (2014, June 11). *Organizational culture eats strategy for breakfast, lunch and dinner*. Retrieved from Meliorate: <https://www.torbenrick.eu/blog/culture/organisational-culture-eats-strategy-for-breakfast-lunch-and-dinner/>
- Sterritt, S. (2017, March 20). *Fisheries officers fired upon in North Cowichan arrest*. Retrieved from Nanaimo News Now: <http://nanaimonewsnow.com/article/529538/fisheries-officers-fired-upon-north-cowichan-arrest>
- The Institutes. (2012). *Risk Assessment and Treatment*. Malvern, Pennsylvania: The Institutes.
- The Institutes. (2012). *Risk Management Principles and Practices*. Malvern, Pennsylvania: The Institutes.
- The Northgate Group. (2006). *A view from the front lines: officer safety and the necessity of sidearms*. Ottawa: Customs and Immigration Union.
- U.S. Department of Justice, O. o. (2009, April ). *Navigating Your Agency's Path to Intelligence-Led Policing*. p. P.1.
- Umbrella Memorandum of Understanding between the Royal Canadian Mounted Police and The Department of the Environment. (2003, Feb 21).



# **THREAT AND RISK ASSESSMENT OF ENFORCEMENT OFFICERS**

## **ENFORCEMENT BRANCH ENVIRONMENT AND CLIMATE CHANGE CANADA**



The Northgate Group  
PO Box 45558  
Chapman Mills  
Ottawa, Ontario  
K2J 0P9

**Northgate**

April 21, 2017

000124

## CONTENTS

<b>1</b>	<b>Executive Summary .....</b>	<b>6</b>
<b>2</b>	<b>Methodology .....</b>	<b>8</b>
2.1	Collection of quantitative and qualitative data .....	8
2.2	Project challenges .....	9
2.2.1	Logistical challenges .....	9
2.2.2	Perceptions .....	9
2.2.3	Methodological challenges .....	9
2.3	Access to management and officers .....	10
2.4	Assessing WED and EED .....	10
2.5	Data analysis and demographics .....	10
2.6	Management engagement and Enforcement Branch officers' response .....	11
<b>3</b>	<b>Officer Activities .....</b>	<b>13</b>
3.1	Chapter Summary .....	13
3.2	Job Activities .....	14
3.2.1	Variance within the Directorates – WED .....	15
3.2.2	Variance within the Directorates – EED .....	15
3.3	Explaining Regional Discrepancies for EED .....	19
3.4	Work environment and work conditions .....	19
3.4.1	Has the job become more or less dangerous over the past five years? .....	19
3.4.2	Contact with weapons .....	21
3.4.3	Work-alones .....	22
3.4.4	Remote locations .....	24
3.5	Threats encountered .....	25
3.5.1	Perceived risk at officer locations .....	25
3.5.2	Perceived Risks .....	29
3.6	Assistance between law-enforcement bodies .....	39
3.6.1	Support for sister directorates .....	39
3.6.2	Support to armed law-enforcement agencies .....	39
3.6.3	Support from armed law- enforcement agencies .....	40
3.7	Response time in case of emergency .....	41
<b>4</b>	<b>Operational activities .....</b>	<b>42</b>
4.1	Introduction .....	42
4.2	Conduct of Operations .....	44

4.2.1	Operational Risk Management .....	45
4.3	EB Operations.....	46
4.4	Intelligence .....	47
4.4.1	Current Intelligence Program .....	47
4.4.2	Intelligence Renewal Project .....	52
4.4.3	Use of intelligence assessment in the investigation process (CPIC and NEMISIS/Gavia) ..	53
4.4.4	Social media for investigative and intelligence purposes.....	55
4.4.5	Exchange of information and intelligence with other enforcement agencies .....	55
4.4.6	Intelligence-led agency .....	55
4.4.7	Thematic Deductions for Intelligence.....	57
4.5	Operational Communications .....	58
4.5.1	General .....	58
4.5.2	Perceived disconnect between operational and managerial levels with regards to communications capabilities.....	59
4.5.3	Regional Disparity .....	59
4.5.4	Blackberry .....	60
4.5.5	Satellite Phone .....	60
4.5.6	Radio .....	61
4.5.7	SPOT.....	62
4.5.8	Other communications systems .....	63
4.5.9	Deductions for internal communications.....	63
4.6	Training.....	63
4.6.1	Basic .....	64
4.6.2	Recertification.....	67
4.6.3	Continuous Training.....	68
4.6.4	Specialized Training .....	69
4.6.5	OHS Training .....	70
4.6.6	Major Deductions for Training Issues.....	70
4.7	Officer Safety Equipment .....	70
4.7.1	Uniforms .....	71
4.7.2	Ballistic vests.....	73
4.7.3	Cameras .....	74
4.7.4	Procurement.....	74
4.7.5	Major Deductions for Equipment.....	75

<b>5</b>	<b>Policy .....</b>	<b>75</b>
5.1	Chapter summary.....	75
5.2	Use of Force Policy .....	76
5.3	Branch Cooperation .....	77
5.4	Special Investigations Unit .....	78
5.5	Specialized intelligence operations.....	78
5.6	Policy creation .....	79
5.7	Work-alone policy .....	81
5.8	Implementation of a major case management program.....	82
5.9	Reporting system for officer safety and threat awareness.....	83
5.10	Strategic communications - Internal and External dialogue .....	85
5.11	Increase interagency capabilities (MOUs).....	86
5.11.1	MOU creation .....	86
5.11.2	Officer interpretation of MOUs .....	86
5.12	Address rumours of a quota system .....	88
5.13	Officer exemptions.....	88
5.14	Social Media .....	89
<b>6</b>	<b>Management.....</b>	<b>90</b>
6.1	Chapter summary.....	90
6.2	Clarify Enforcement Branch mandate.....	90
6.3	Define the term enforcement as it applies to EB.....	91
6.4	Enforcement Branch hiring processes .....	93
6.5	Succession Planning .....	94
6.6	Chain of command .....	95
6.7	Divide between officers and HQ .....	96
<b>7</b>	<b>Options for EB .....</b>	<b>98</b>
7.1	Chapter Summary .....	98
7.2	Deductions .....	98
7.2.1	Horizon one.....	99
7.2.2	Horizon two .....	100
7.2.3	Horizon three .....	103
7.3	Options to provide EED officers with a sidearm .....	Error! Bookmark not defined.
	<b>Appendix – Areas to explore .....</b>	<b>107</b>
A1	Organizational footprint.....	107
A2	Survey.....	108

<b>Bibliography .....</b>	<b>120</b>
---------------------------	------------

# 1 Executive Summary

Environment and Climate Change Canada is tasked with one of the most pressing issues of this generation: the stewardship and protection of Canada's natural resources and environment. ECCC tasks the Enforcement Branch (EB) with enforcing relevant federal laws across the country. EB's role in the overall protection of the environment is both vital and unique; it is a federally-funded organization that uses enforcement actions to ensure violators comply with federal legislation. This is critical as, without enforcement, violators may not be deterred from breaking Canadian wildlife and environmental legislation. There are no other federal agencies that duplicate EB's work, nor are there other federal agencies that have the same enforcement mechanisms and mandate as EB. EB enforcement officers are often the first to arrive when an oil spill occurs, they personally combat poaching, and they engage local stakeholders to promote compliance and awareness of laws. Canadians depend on laws enforced by EB to protect the air they breathe, the soil upon which they walk, and the waterways that cross Canada.

The Enforcement branch engaged The Northgate Group (TNG) to review Enforcement Officer (EO) activities and policies regarding use of force and officer safety. While initially focused on the kinetic actions of EOs and the *hazard risks* they face, TNG quickly realized this scope was insufficient to properly review EO safety. TNG had to consider the system that supports EOs in the field, the policies that support and direct them, and the management and leadership structures that direct them. This review needed to speak to the safety of EO, and also to validate the implementation of EB's commitment to deliver an effective, efficient and innovative organization to fulfill its mandate.

This exercise reviewed and identified a variety of strategic risks EB currently faces. Importantly, strategic risks should be framed as opportunities for EB. They allow EB to improve and better deliver on the mission with which all Canadians have entrusted it. Clarifying and clearly stating mission and vision statements, including the expectations that EB and all Canadians should have and expect of EB, is the first step in this process. Any mission or vision statement must have the full organizational buy-in. Questions, and lack of clarity impacts every decision within the organization, from determining strategic directives of training and hiring practices to the procedure with which a Wildlife Enforcement Directorate (WED) EO should conduct roadside checks of duck hunters.

EB's operational and strategic management also presents opportunities for improvement. Addressing these strategic opportunities will allow EB to better allocate resources while improving effectiveness and EO safety. Core to this is examining the leadership structure at EB. The current structure is decentralized leaving the CEO effectively with resource allocation as authority only. Furthermore, the HQ staff works in isolation from the main direction of the EB enterprise and juggles both policy and operational issues which should be separated. TNG identified two organizational models and HQ staff structure that would suit EB's structure, desire for improved resource allocation, and support the development of an efficient, innovative operational staff to direct operations.

Beyond management structure, TNG identified several additional strategic opportunities for EB. The goal of these strategic observations is to identify and describe opportunities within EB that, after addressing them, will lead to improved operational effectiveness, better enforcement of EB mandate, and a safer environment for EOs. Vital to EB is the proper use of intelligence to reduce risk exposure and implement a proper operational risk framework. EB still struggles to operationalize its intelligence capacity and underutilizes available intelligence in both strategic and tactical settings, missing enforcement



opportunities and increasing EO risk exposure. In his mandate to the Honourable Ms. McKenna, the Right Honourable Justin Trudeau specifically stated that individual ministers are to:

- Track and report on the progress of our commitments;
- Assess the effectiveness of our work; and
- Align our resources with our priorities.

An investment in developing intelligence, reporting, and internal communications will act as a force multiplier for EB. It will support EB's ability to truly create and develop collaborative relationships with similar organizations on a municipal, provincial, national, and international level. Importantly, this will carry into relationships with Indigenous peoples whose stewardship of the land and close working relationship with ECCC and EB is vital to ensuring the environment is passed from this generation to the next. Overall, this investment will reduce the risk EOs face in the field, improve operational effectiveness and support EB's ability to enforce its mandate.

Within a larger strategic framework, EB also has strategic opportunities to improve, develop and implement more effective and precise training and HR practices. Through an inclusive, honest and merit-based approach, EB can work to ensure all staff are positioned and trained to fully execute EB's mandate. Without targeted contributions to ensure the proper people, in the proper places, at the proper time, EB risks not being able to identify and develop its human capital to its fullest potential. This in and of itself is a strategic shortcoming of the organization.

Improved strategic communications allow for EB to better and more clearly enunciate the exact value that EB brings to its stakeholders and Canada as a nation. Targeted investments will allow for increased understanding, stakeholder buy-in and transparency from EB. This is a net-positive benefit for all Canadians; as citizens in an environmentally-conscious nation, we desire more information as to how our government is protecting the environment in which we live. This supports EO safety through a better understanding of their presence, greater community support for their work and better integration of community feedback into their activities.

TNG reviewed EB policy related to use of force and TNG quickly recognized that the policy itself is not the core of the strategic challenges EB faces. TNG identified the primary challenge with regards to policy is problems with its implementation that stem from its current management and cultural challenges. Any policy review in EB must also question not only the quality of the document but more importantly its applicability to the EB context; does the specific policy fit into the operational framework EB is looking to implement. Much like the previous strategic challenges, these offer an opportunity for EB; improved organizational cohesion will improve enforcement capabilities while also reducing EO risk exposure.

Investment in managerial processes and organizational change will aid EB in addressing its tactical shortcomings. Specific to this EOs identified, in nearly every interview, that emergency communications need to be addressed. Targeted organizational investment will increase the ease of identification and eventual solution of any tactical problems faced by EOs.

TNG notes that these challenges can be addressed, but maximum effectiveness will require dedicated, organizational buy-in and targeted investments. TNG believes that EB currently has the right leadership in place to effect the organizational changes required and move the organization in a direction that will meet Canadians' standards for an open, meaningful, accountable branch that will work to protect and steward a clean environment and ensure a sustainable future for all Canadians.

## 2 Methodology

### 2.1 Collection of quantitative and qualitative data

Data was collected over a one-month period by a series of in-person and telephone interviews. Respondents answered questions from a survey in a semi-structured format. Respondents were not shown the survey in advance and were requested to not discuss it with others taking the survey, however, most in-person interviewees had a copy of the survey to follow progress. Interviews were conducted in English and French, according to respondent's choice, on location across the country. Respondents from both Directorates and located in every Canadian province and territory participated in this survey.

The semi-structured interviews provided both quantitative and qualitative data. Respondents provided answers to the survey questions that make up the quantitative data. Respondents expanded on questions with their own stories and experiences. This provided context to help team members better understand the quantitative data.

Beyond the survey, TNG visited and amended the annual EED regional directors meeting in Montreal from February 20<sup>th</sup> to 23<sup>rd</sup>. TNG interviewed union representatives from the Union of Health and Environment Workers. TNG also interviewed representatives from headquarters to better understand the threats and risks they perceive from across Canada and their appreciation of some of the institutional or policy challenges that affect officers' safety. These interviews did not follow the same interview structure.

Project interviews were conducted over a six-week period from the week of February 13 until the week of March 27. One hundred and ninety-eight of the 207 interviews were completed between Wednesday, February 15 and Friday, March 17.

To supplement the interview processes, the research team also reviewed relevant materials supplied by EB. While not a comprehensive list of all documents included in this report, the primary material supplied by EB included the following:

- EB policy documents
- EB Living Document Strategy for the Enforcement Operations Manual 2016 (EOM)

Core government documents available in open source specific to EB reviewed in this study include:

- 2011 December Report of the Commissioner of the Environment and Sustainable Development
- 1998 Report of the Parliamentary Standing Committee on Environment and Sustainable Development
- Justice Institute of British Columbia Workplace Refusal Investigation

The TNG research team would like to express its thanks for all the regional coordinators that assisted us in obtaining interviews in a short period of time. The project kick-off meeting occurred on Thursday, January 26 and the interview process was nearly completed less than two months later. This means it planned, confirmed, and conducted a national series of interviews with two distinct Directorates, including in-person and phone interviews in a period of two months from inception to 95% completion.

## 2.2 Project challenges

### 2.2.1 Logistical challenges

TNG was faced with creating, organizing, and delivering a national questionnaire to review an organization that is split into two distinct Directorates, while also providing those interviews in the language of the interviewee's choice. This involved not only conceptualizing the project, but also organizing the logistics of scheduling interviews, planning travel, and performing check-ins with the Enforcement Branch. While a challenge, TNG met the requests and successfully conducted interviews in the allotted time.

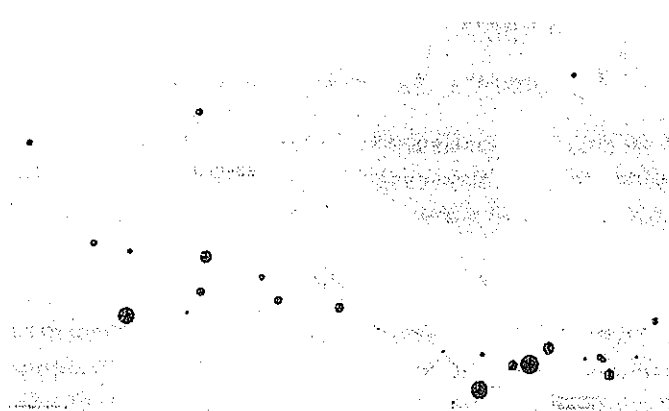


Figure 1 - Locations of EB officers interviewed for this study. Blue is EED officers, orange is WED officers

### 2.2.2 Perceptions

When conducting the study, interviewers identified several misconceptions that continued to arise in discussions with participants regarding the applicability of a sidearm. Several WED officers expressed concerns that TNG was doing a study to 'take away our tools'. Conversely, some EED officers expressed concern that the only purpose of this study was to determine if the officers should carry a sidearm. Officers were informed this was not the aim of the survey and, while questions about the applicability of a sidearm were asked, the survey was explained as being a holistic look at the organization rather than a specific question about one tool. Interviewers expressed that the focus of the study was identifying the threats and risks officers face while performing their work.

### 2.2.3 Methodological challenges

TNG identified several issues during the survey.

Some questions left room for interpretation on the respondent's part. Respondents may have approached specific questions from different perspectives. This sometimes led to differences in how individuals approached specific questions and had them answer them in different ways. For example, when asked if officers believed it would be valuable to have an on-body and/or car camera, several noted very strong positive sentiment for one, but very negative sentiment for the other. This made answering that question challenging.

During the surveys it became apparent that some questions required additional categories. For example, when examining specific threat agents, some that were reported required a category that were not in the original survey; this includes fishermen and sovereign citizens. In this case, both groups were quickly identified after the beginning of the survey, however it was too late to include them in the survey. To mitigate the effect of issues like this, researchers and interviewees included this information in the qualitative data and supplemented it where appropriate.

Also after beginning the survey it became apparent that some of the questions were phrased in ways that did not address the specific issue the Branch faces. For example, the question "how often does the Environment Canada field-safety communication system not meet your needs?" met with some answers that did not fit into that paradigm. For example, some respondents stated the following:

*"There is no field-safety communication system."*

*"The field-safety communication system meets my reporting needs, but not my emergency needs."*

*"I've never used the field-safety communication system so I don't really know."*

The survey was not designed to capture some of the nuances these questions brought out from respondents. In those cases, interviewers recorded this information in the qualitative data to inform the report, but it is not always reflected in the survey data.

## 2.3 Access to management and officers

Northgate found officers, management, and the executive branch welcoming with regards to the survey. Respondents were informed that the study had the support of both management and the union. Officers overwhelmingly stated a desire to be part of this process and welcomed the opportunity to try and make themselves more effective and safer in their work.

## 2.4 Assessing WED and EED

Officers from both WED and EED participated in this project. From the very beginning it was clear the organizations were very different in culture, outlook, and organization. As every officer noted throughout the interview process, a WED officer's tools include a sidearm while an EED officer's tools do not. However, for the purposes of this research, it was important to include all participants under one common framework to understand the organizational structure and the challenges it faces. Even with the organizational differences, it was important to understand the extent to which the threats and risks faced by both sides were similar, and the extent to which they differed.

To do this, TNG used one questionnaire to ensure both Directorates received the same questions. The data was structured in such a way to ensure that both Directorates could be examined independently.

## 2.5 Data analysis and demographics

Data was visualized via the business-intelligence software Tableau. The benefits of this included:

- Better understanding of the underlying trends in the data
- Better pinpointing specific problem areas
- Allowed more effective exploration of the data
- Aided identification of areas for future exploration with regards to the data
- Provided specific visuals for the project

TNG conducted 207 survey interviews and 203 were included in the study. One interview was conducted after an internal cut-off data for inclusion into the quantitative portion of the interview, and three interviews were not saved properly. Senior executives and headquarters staff that did not have operational experience were interviewed without the questionnaire. This allowed the research team to collect information about other aspects of policy, organizational management and leadership, the intelligence process and training.

The respondents were approached in the following ways to facilitate understanding survey results:

The survey identified individuals from the ranks of enforcement officers, intelligence officers, management and the executive. This allows us to better understand the differing perspectives different positions have to- wards specific issues or challenges.	<table><tr><th></th><th>EED</th><th>WED</th></tr><tr><td>Enforcement Officer</td><td>104</td><td></td></tr><tr><td>Executive</td><td>4</td><td>3</td></tr><tr><td>Intelligence Officer</td><td>9</td><td>1</td></tr><tr><td>Management</td><td>19</td><td>15</td></tr></table>		EED	WED	Enforcement Officer	104		Executive	4	3	Intelligence Officer	9	1	Management	19	15						
	EED	WED																				
Enforcement Officer	104																					
Executive	4	3																				
Intelligence Officer	9	1																				
Management	19	15																				
Participation occurred from all over the country. The Northgate Group expected different regions to present different views of the same issues due to differences in regional leadership, culture, direction, and clients.	<table><tr><th></th><th>EED</th><th>WED</th></tr><tr><td>Atlantic</td><td>18</td><td>14</td></tr><tr><td>HQ</td><td>1</td><td>2</td></tr><tr><td>Ontario</td><td>29</td><td>13</td></tr><tr><td>PNR</td><td>28</td><td>14</td></tr><tr><td>PYR</td><td>25</td><td>12</td></tr><tr><td>Quebec</td><td>34</td><td>12</td></tr></table>		EED	WED	Atlantic	18	14	HQ	1	2	Ontario	29	13	PNR	28	14	PYR	25	12	Quebec	34	12
	EED	WED																				
Atlantic	18	14																				
HQ	1	2																				
Ontario	29	13																				
PNR	28	14																				
PYR	25	12																				
Quebec	34	12																				
To better understand the background that officers brought to this job from other organizations, participants were asked to provide insight into the previous number of law-enforcement organizations in which they had previously worked.	<table><tr><th></th><th>EED</th><th>WED</th></tr><tr><td>No previous law-enforcement experience</td><td>39%</td><td>15%</td></tr><tr><td>One organisation</td><td>48%</td><td>54%</td></tr><tr><td>Multiple organisations</td><td>13%</td><td>31%</td></tr></table>		EED	WED	No previous law-enforcement experience	39%	15%	One organisation	48%	54%	Multiple organisations	13%	31%									
	EED	WED																				
No previous law-enforcement experience	39%	15%																				
One organisation	48%	54%																				
Multiple organisations	13%	31%																				
To better understand the amount of knowledge transfer that occurs within the Branch, respondents were asked as to the number of locations at which they had worked.	<table><tr><th></th><th>EED</th><th>WED</th></tr><tr><td>1 location</td><td>73%</td><td>52%</td></tr><tr><td>2 locations</td><td>19%</td><td>30%</td></tr><tr><td>3 locations and up</td><td>7%</td><td>18%</td></tr></table>		EED	WED	1 location	73%	52%	2 locations	19%	30%	3 locations and up	7%	18%									
	EED	WED																				
1 location	73%	52%																				
2 locations	19%	30%																				
3 locations and up	7%	18%																				

## 2.6 Management engagement and Enforcement Branch officers' response

Northgate's impression of the Enforcement Branch is that the organization is professional, passionate and engaged in their work. Management was involved throughout the process and helped the team navigate difficult areas. Officers were generally happy to speak with interviewers and contributed stories and information where available and appropriate.

Within the Branch, Northgate's research team identified and spoke with all necessary individuals. This required contacting and setting up approximately 207 survey interviews and additional interviews. Representatives of The Northgate Group interviewed multiple members of the leadership team to better understand the core issues facing the executive team. The Northgate Group successfully interviewed all individuals within the executive team, including the:

- Chief Enforcement Officer
- Both Director Generals
- Both Executive Directors
- Both Strategic Planning Managers
- Policy Director
- Branch Training Consultant

- Enforcement Services Director (current and prior)

The research team also interviewed representatives of other relevant institutions:

- President of the Customs and Immigration Union



## 3 Officer Activities

### 3.1 Chapter Summary

This section examines the *hazard risks* that EED and WED officers face in their work. It uses the data provided from the questionnaire and focuses on the activities and perceived risks officers face in their work. The very nature of law-enforcement work; enforcing the laws of the state, carries significant risk. It is important to emphasize that this section focuses on perceived risks; risks that officers self-identify. The interpretation of a perceived risk is subjective and relates to the threat that the officers, in a specific situation, assess as dangerous or threatening. When perceptions and reality of risk are not synchronized, officers place themselves in danger. This can quickly lead to complacency and the normalization of additional risks if perception is low but risk is high. Alternatively, it can lead to high levels of anxiety and paralysis in job functioning if officers see ever-present extreme risk with no way to avoid or mitigate it. Both situations are a risk for officers.

This chapter is important to EB for five primary reasons:

1. Officers bring an important perspective to analysis of the threats they face on their job. This insight is a core component to the process of a threat-risk analysis as it provides insight into the job-related *hazard risks*.
2. In the cases where the perceived threats are deemed to be excessive or unwarranted, the Enforcement Branch must still address the emotions and fears that officers face.
3. This helps reveal likely breakdowns in the intelligence process. These are usually times when the executive, management, intelligence, and officer branches all have very different perspectives of where dangers lie.
4. Understanding these issues can lead to a better understanding of the type of work and organizational objectives across the country.
5. To allow EB to take informed corrective measures from this data.

This chapter also examines the prevalence of workplace violence as it occurs in the Enforcement Branch. The Canadian Centre for Occupational Health and Safety (CCOHS) defines workplace violence as “any act in which a person is abused, threatened, intimidated, or assaulted in his or her employment. Workplace violence includes:

- **Threatening behaviour** – such as shaking fists, destroying property or throwing objects.
- **Verbal or written threats** – any expression of an intent to inflict harm.
- **Harassment** – any behaviour that demeans, embarrasses, humiliates, annoys, alarms or verbally abuses a person and that is known or would be expected to be unwelcome. This includes words, gestures, intimidation, bullying, or other inappropriate activities.
- **Verbal abuse** – swearing, insults or condescending language.
- **Physical attacks** – hitting, shoving, pushing or kicking. (Canadian Centre for Occupational Health and Safety, 2017) (Emphasis in original)

In addition to that, the CCOHS lists ten different factors which can increase the risk of violence. EB work overlaps on at least five different categories:

- Working with the public
- Carrying out inspection or enforcement duties
- Working with unstable or volatile persons
- Working alone, in small numbers or in isolated or low traffic settings
- Having a mobile workplace

In all cases, EB is responsible for a delicate balancing act; it must fulfill its mandate while simultaneously recognizing that officers may suffer workplace violence. As a result, EB must maintain a proper balance, ensuring it properly fulfills its mandate while also minimizing exposure to workplace violence.

### 3.2 Job Activities

Survey results show the Directorates have very different job activities. WED officers perform a wide variety of different activities in their work. EED officers perform more inspection, evidence collection, and execution of search warrants in their work, although their jobs consist of a wide variety of activities.

When exploring the ongoing high-risk activities, the most significant differences between the Directorates are patrol, surveillance, arrests, and undercover work. In these cases, WED performs these activities at a far higher rate than EED, exceeding the EED rate by over 100% in all cases. This is likely due to the job requirements of a WED officer.

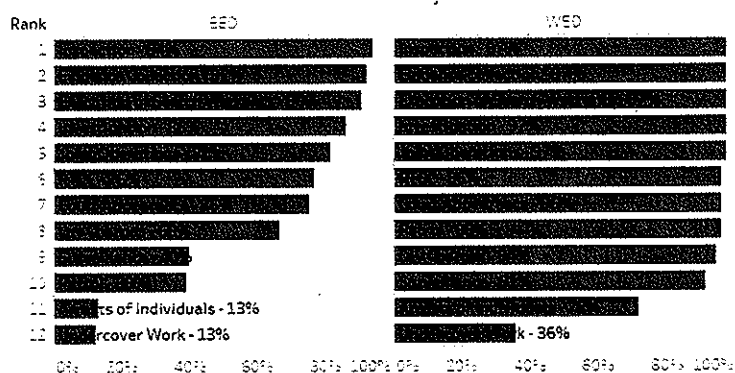


Figure 2 - Officer identified tasks for their job.

English	Français
Rank	
EED	
WED	
Inspection - 94%	
Evidence Collection - 92%	
Execution of Search Warrants - 90%	
Investigation - 86%	
Joint Operations - 82%	
RTCC - 76%	
Court Appearance - 75%	
Lay Charges - 66%	
Surveillance - 40%	
Patrol - 39%	
Arrests of Individuals - 13%	
Undercover Work - 13%	
Inspection - 97%	



Evidence Collection - 97%	
Execution of Search Warrants - 97%	
Investigation - 97%	
Joint Operations - 97%	
RTCC - 96%	
Court Appearance - 96%	
Patrol - 96%	
Lay Charges - 94%	
Surveillance - 91%	
Arrests of Individuals - 72%	
Undercover Work - 36%	
0%; 20%; 40%, ...	

The two Directorates are extremely similar in a multitude of ways. Officers from EED and WED both perform many of the same general tasks, including:

- Working in remote locations
- Working with people who may be, or are breaking the law
- Evidence gathering
- Executing search warrants
- Working in potentially hazardous situations

### 3.2.1 Variance within the Directorates – WED

*EOs in WED largely perform the same tasks to enforce their mandate. Variation exists within those tasks.*

WED officers stated similar job descriptions and activities, although the participation rate in them varied depending upon individual job requirements. Generally, job activities are somewhat similar, as can be seen in the chart above. Hours, clientele, equipment, environment, and levels of risk vary depending on an officer's specific activities.

Anecdotally, WED officers' roles are similar across the country. Most WED EOs participate in most of the following activities:

- Hunter checks
- Permit inspections
- Trafficking of trophies or animal remains
- Issues related to migratory birds

The variance in the data is minimal; of the twelve different activities, over 90% of WED respondents stated they participated in at least ten of those. This suggests that most officers are working on similar files or have similar job descriptions.

### 3.2.2 Variance within the Directorates -- EED

*EOs in EED perform different tasks to enforce their mandate. Their work is extremely varied.*

There is general agreement among officers of both Directorates that EED officers have extremely varied roles. Some EED officers are “largely corporate types”, performing legal and compliance work in board rooms, oil spill sites, or mines. These officers tend to work in largely controlled environments and generally speaking, saw their work as less dangerous and less risky. Several officers stated that the “duty belt was overkill” and that “the risk just doesn’t justify carrying a sidearm.”

Other EED officers stressed the high-risk environment in which they work, rarely if ever, actually entering a boardroom. Some activities include:

- Conducting inspections on fishing vessels
- Surveilling individuals who may be breaking the law
- Collecting runoff from farms to sample for pesticide use
- Monitoring the collection and disposal of hazardous waste and toxic gases
- Conducting long-range patrols in a marine environment
- Conducting physical checks of materials and equipment on First Nations land
- Ensuring regulatory compliance of dry cleaners
- Determining the cause of fish kills.

### 3.2.2.1 Regional differences in EED work

Several examples of differences within EED from the data stand out to show how different the job activities are, especially along regional lines. This was visible anecdotally as well as in the data. Anecdotally, officers from all over the country referenced “checking dry cleaners in Burlington,” suggesting that EED officers held the view that the Burlington office was largely involved in regulatory inspections of urban sites in the Greater Toronto Area. Similar comments were made for large urban area offices across Canada. This demonstrates how officers perceive that different parts of the country have vastly different jobs. The data also supports the anecdotal view that EED officers are involved in a very wide variety of tasks in vastly different environments. When asked to describe threats officers faced in the field, the disparity between regions was significant. For example, the answers with regards to ‘Wildlife-Related Dangers’ varied significantly.

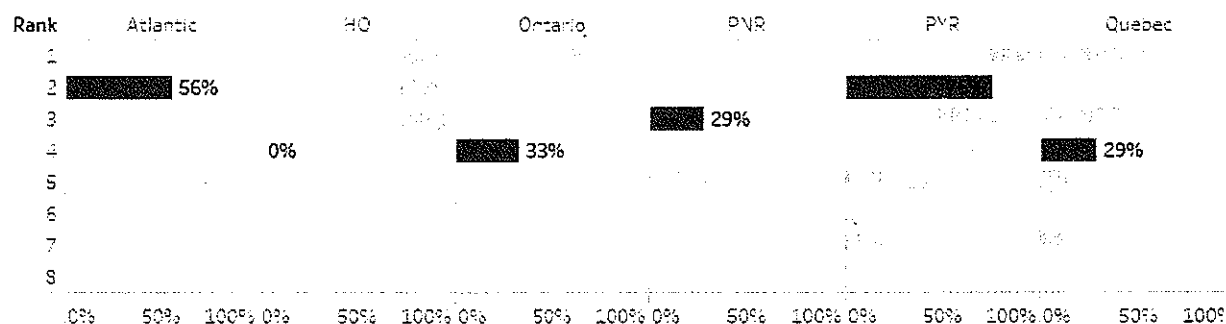


Figure 3 - Rank: (dark green) How EED officers perceive exposure to wildlife-related dangers broken down by region.

English	Français
Rank	
Atlantic	
HQ	
Ontario	
PNR	
PYR	
Quebec	
0%; 50%; 100%	

The data clearly indicates that Wildlife-related dangers are largely present in forested and backcountry areas. This is especially true in regions where officers are more likely to spend more time in remote areas.

At the same time, the specific threat agents, derived from the cases that officers undertake also vary significantly. For example, officers in Quebec have far greater contact with organized crime than they do in any other part of the country.

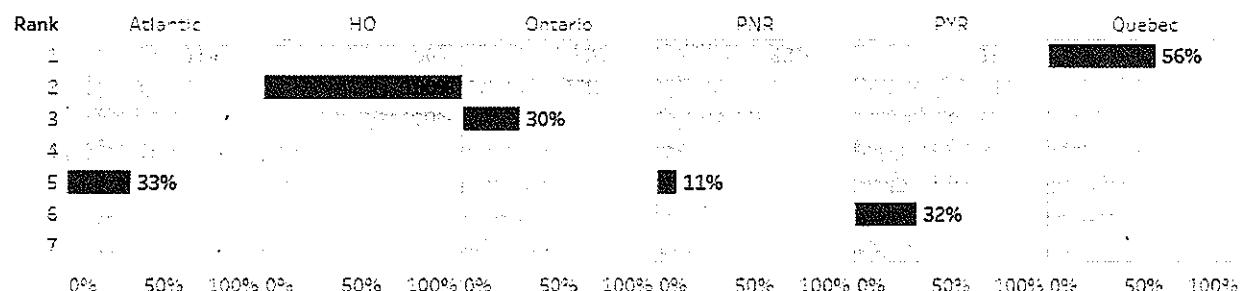


Figure 4 - Rank: (dark green) The percentage of EED officers who stated they view organized crime as a threat agent.

English	Français
Rank	
Atlantic	
HQ	
Ontario	
PNR	
PYR	
Quebec	
0%; 50%; 100%	

These differences do not appear to nearly the same extent in WED officers' perception of their tasks or their responsibility for personal safety. Regional differences are an ongoing theme of EED work and largely impact how EED officers view their own roles within the organization, the risks they face, and their ability to mitigate or avoid those risks.

Different regional priorities and activities can also be derived from examining EED data and description of job activities. In examinations of EED data for the surveillance and patrol functions of an EED officer's work, the regional differences are very high.

Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

April 21, 2017

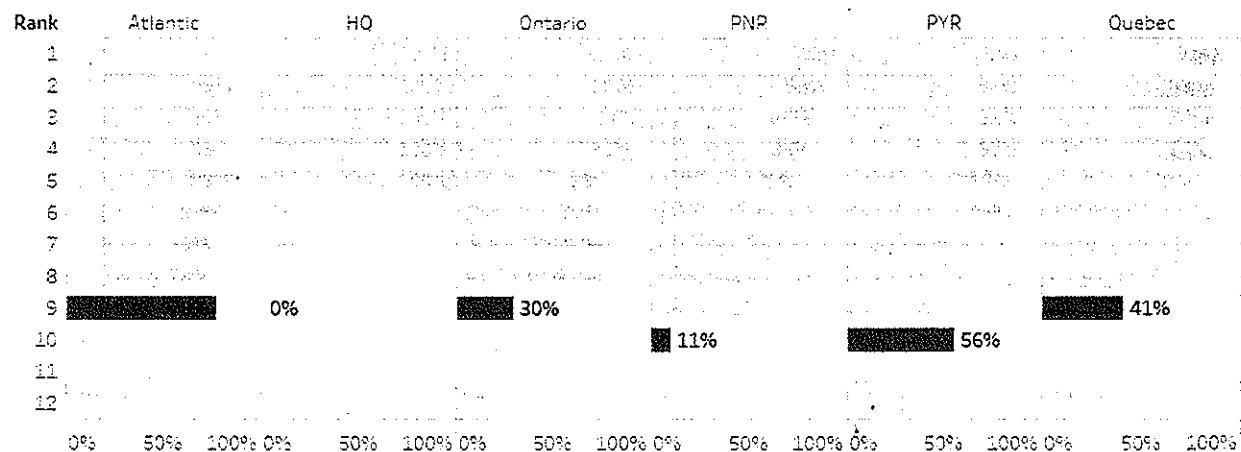


Figure 5 - Rank: (dark green) The percentage of EED officers by region who state they perform surveillance as part of their job.

English	Français
Rank	
Atlantic	
HQ	
Ontario	
PNR	
PYR	
Quebec	
0%; 50%; 100%	

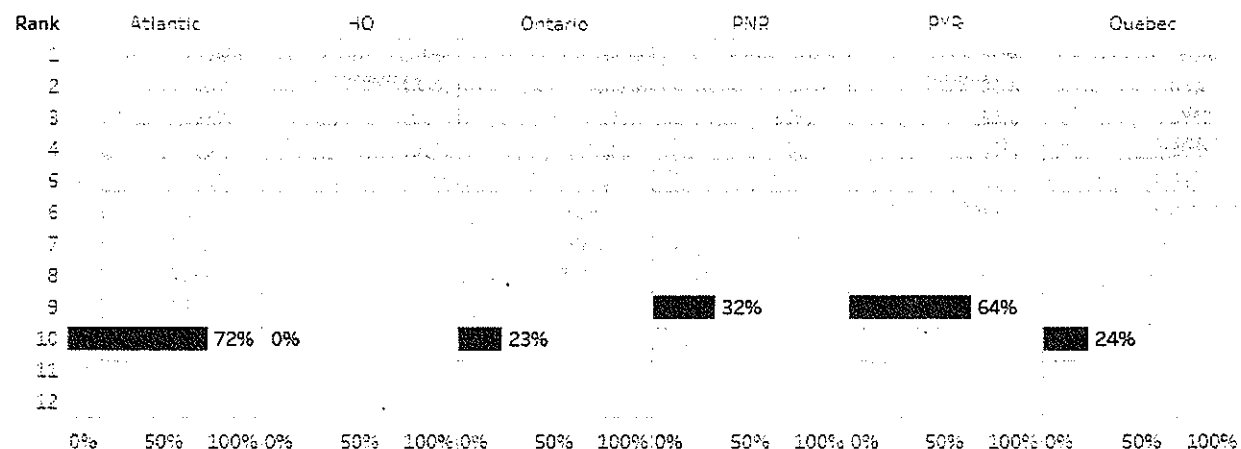


Figure 6 - Rank: (dark green) The percentage of EED officers by region who state they perform patrols as part of their job.

English	Français
Rank	
Atlantic	
HQ	
Ontario	

English	Français
Question	
In your opinion, has the job become more or less dangerous over the past five years (or, if you have not worked here for five years, since you started?	
Answer	
It has become less dangerous	
It is roughly the same.	
Yes, it has become more dangereux	
EED	
3%; 54%; 43%	
WED	
3%; 40%; 57%	

- A perceived increase in targeting of law-enforcement professionals by criminals and terrorists
- Increased presence of fentanyl and risk of exposure
- Increased fines producing larger reaction from clients and offenders
- Increased number of prosecutions creating more unhappy individuals.
- More interactions with high-risk individuals, in particular those who would stand to lose their livelihood due to Enforcement Branch activities
- Increase in the profitability of the international wildlife trafficking<sup>2</sup>

There are very real trends to what the officers understand they face with regards to their safety. One that stands out is that an increase in wildlife trafficking and an increase in both the amount and number of prosecutions is producing a more dangerous environment for the Enforcement Branch's EOs.

Several officers also stated they were becoming more sensitized to the threats, risks, and dangers they faced in their work. For reasons such as spending more time at work or moving into more senior positions they are developing a more comprehensive view of the dangers they face.

The research team notes that a way to improve the accuracy of perceptions of the increase or decrease of threats to officers is through a greater capacity for intelligence and reporting. An increased intelligence capability returns focused, targeted, and objective products to officers to ensure they are aware of the dangers they face in their work.<sup>3</sup> Better reporting will allow for the executive and management levels to better understand the issues officers face and make data, and fact-based assessments and policy changes. This will serve to focus officers' attention on issues that are relevant and actionable.

<sup>2</sup> Common examples of this include bear bladders for Chinese medicine, ivory from the north and animal pelts.

<sup>3</sup> The research team interviewed ten people who identified as 'intelligence officer' and input this information into the quantitative data. This survey did not provide us with the ability to identify the specific number of intelligence officers required for an organization as diverse and geographically spread out as the EB. The research team saw no indication via conversation or data that ten officers could cover the diverse needs of the officers of the EB.

PNR	
PYR	
Quebec	
0%; 50%; 100%	

In this case, more officers from the Atlantic Region stated this comprises a greater part of their job. However, fewer officers from the PNR region perform surveillance as part of their job.<sup>1</sup> This is not to say that officers should do additional or less patrol or surveillance work, but rather reflects the organizational objectives, targets, risk tolerance, and philosophies on a regional level.

### 3.3 Explaining Regional Discrepancies for EED

The variations in EED activities can be explained by a variety of factors:

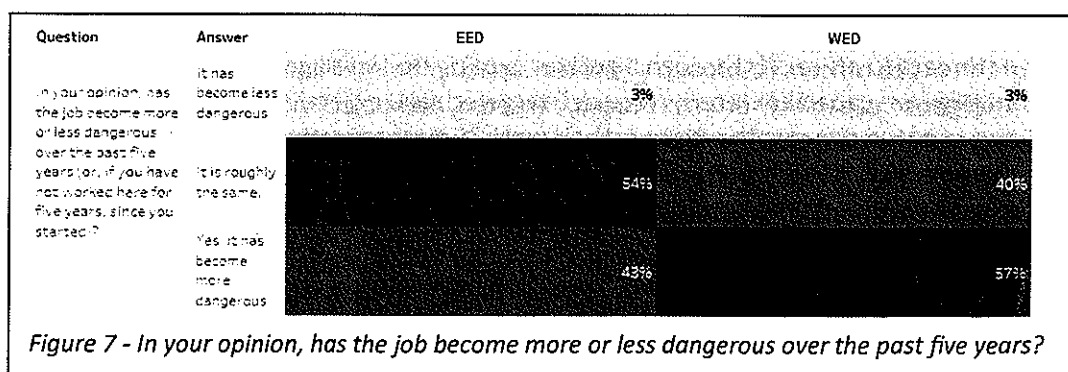
- Operational direction in the region
- Client activities
- Risk tolerance at a regional level
- Environmental conditions
- Use of intelligence assessments
- Level of formal and informal links with other law-enforcement agencies

This study identified that these differences exist between the regions, however, its purpose was not to identify and quantify the differences between regions that would explain those differences. EED should explore why there are significant differences between regions, what accounts for them, and if they serve the overall needs of EB.

### 3.4 Work environment and work conditions

The work environment for WED and EED differs depending on location and perceived threats.

**3.4.1 Has the job become more or less dangerous over the past five years?**  
When asked about the current state of the safety within the job, nearly all



officers stated that it was either as dangerous or had become more dangerous over the past five years. Some common themes from answers include:

<sup>1</sup> Interestingly, the number of officers who stated that they perform surveillance in Ontario and PNR regions was the same as the number in both regions who identified organized crime as a threat agent.

### 3.4.2 Contact with weapons

*EOs come into contact with weapons regularly throughout their work.*

*WED officers check hunters for proper documents which increases exposure to firearms.*

Because a significant portion of the Enforcement Branch's activities occur outside of urban environments, weapons are a commonly present. This is not to say they are used against officers or in a threatening manner but it is important to understand the general availability of weapons that officers encounter throughout their work. The definition of weapons was left to officers to determine as they saw fit. While a shotgun would likely be considered a weapon in nearly all situations, one officer was adamant that a knife on a fishing boat was not a weapon because it was highly specific to the individual using it and posed no threat. In the same sense, a car can easily be considered a weapon (several officers noted people tried to hit them with cars), but defining all cars as weapons is not useful for the purposes of this study. The ambiguity affected both EED and WED responses but there are clear differences in the overall frequency they identify encounters with weapons.

It is worth noting that not all officers recognized weapons when they were in fact confronted by them. In one case, an officer stated that he had never been threatened or assaulted with a weapon. However, when discussing OHS-related risks, the officer recounted a story of being on extremely rough water. When the officer returned to shore, he/she noticed there were bullet holes in the boat; the officers had been shot at. However, only after discussing this story and questioning on the part of the interviewer did the officer recognize that in fact this was an assault. The officer remembered the event due to the bad weather not the fact that the boat had bullet holes in it.

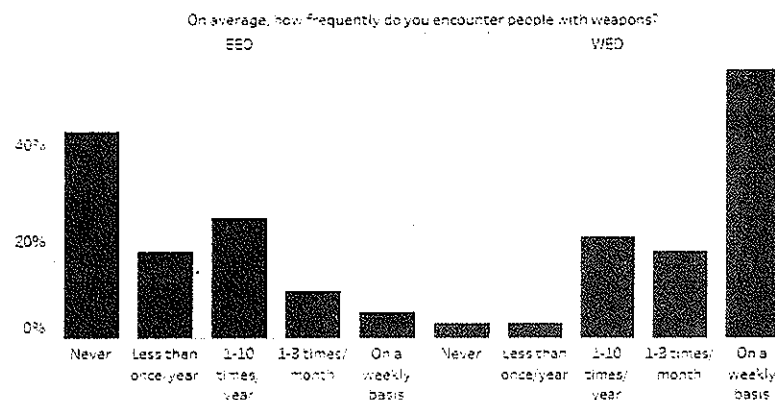


Figure 8 - The frequency with which individuals encounter people with weapons.

English	Français
On average, how frequently do you encounter people with weapons?	
EED	
Never	
Less than once/year	
1-10 times/year	
1-3 times/month	
On a weekly basis	
WED	
Never	
Less than once/year	
1-10 times/year	
1-3 times/month	

On a weekly basis	
0%; 20%; 40%	

This chart shows the almost opposite frequency with which WED and EED officers encounter people with weapons. EED officers are clearly less likely to encounter people with weapons in the course of their work than are WED officers. WED on the other hand, spend a significant amount of time with armed individuals. The reasons for this are clear: WED officers perform ongoing checks on hunters for permits and game violations. by definition, hunters are armed and nothing from this study suggests that WED officers do not require a sidearm for the work they do.

EED is more complex in terms of who and how they encounter armed individuals. Their interactions are varied and fall into different categories. Officers who largely perform compliance work, amend oil spills and carry out inspections in urban settings are less likely to encounter weapons in their line of work.

However, that is less true for EED officers who work in rural settings and perform inspections on farms, perform inspections on First Nations land, or perform inspections of aquaculture in marine settings.

### 3.4.3 Work-alones

*Generally, interviewees stated that fewer work-alones occurred than had previously. However, staffing concerns, a lack of planning to obtain interagency support and working in remote locations sometimes make it more likely they will be alone.*

*Risk assessments before working alone are not structured or performed consistently.*  
Officers stated a great diversity of opinion and experience with regards to work-alone situations.

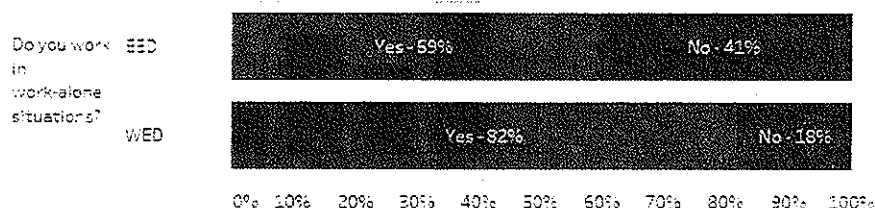


Figure 9 - The percentage of individuals who work-alone situations

English	Français
Do you work in work-alone situations?	
EED	
WED	
Yes - 59%	
No - 41%	
Yes - 82%	
No - 18%	
0%; 10%; 20%; ...	

The majority of EOs work in work-alone situations, although work-alones differ by location and mission. One exception is EED in Quebec; 85% of EED officers in Quebec stated they do not work in work-alone situations. In addition, nationally, officers did not seem clear on the existence of a Branch-wide policy on working alone.



Due to the different nature of the work the Enforcement Branch undertakes, it is at times appropriate for officers to work alone. As one officer stated, "I go to gas stations to measure rates at gas pumps, I don't need backup." However, other officers' situations are very different as they perform inspections on farms, checks on armed hunters and visit remote areas, sometimes alone.

#### *3.4.3.1 Risk assessment*

The reality of the work that both EED and WED do is that some of it does not require multiple officers to amend specific situations. For example, when delivering notices of compliance to government buildings, an officer may go alone in what is technically a work-alone. At times, other officers have stated they do potentially high-risk activities, such as hunter checks, summons delivery at a client's home, or farm inspections by themselves. When asked what determined if a situation could be a work-alone, officers did not offer a uniform response. Officers generally stated one of three different responses:

- Work-alones were determined via what the officer felt, drawing upon his or her experiences which would lead to the decision to undertake a work-alone,
- Work-alones were discussed with a manager to obtain approval. Occasionally, this would occur in writing,
- Work-alones were undertaken only after the officer and manager performed a risk assessment.

Anecdotally, few officers stated they performed a formal risk assessment to determine if they should undertake a specific mission.

At the current time, the implementation of the EB work-alone policy (4-1-1) is not consistent. Its interpretation and implementation appear to vary between regions and even offices. Managers appear to be raising the risk tolerance beyond policy limits. The work-alone policy is covered in greater detail in chapter seven.

#### *3.4.3.2 Staffing concerns*

One of the primary concerns for individuals going on high-risk work-alones is the challenge of staffing. In particular, WED officers face staffing challenges across the country. WED has roughly 70 officers and many offices have between 1-3 WED officers. When an office has two officers but one is seconded, sick, or busy with other work, officers must make the individual decision as to whether they should be working alone. The research team noted in the interviews that officers were forced to decide for themselves whether they would work alone. Although the survey was not designed to capture the frequency of this situation, the research team believes it to be a common occurrence. This applies to EED officers as well.

#### *3.4.3.3 Support of other agencies*

Some work-alones were mitigated by partnering with other agencies, not just WED-EED partnerships, but rather partnerships with provincial agencies, the RCMP, DFO, or CBSA. Both EED and WED benefit from the support of other organizations to alleviate staffing concerns and provide additional capacity to a short-staffed office.

Internally, both WED and EED do provide support to their sister directorates. However, the rate of assistance between them leans heavily towards WED assisting EED more so than the other way around. Commonly, assistance consists of situations where additional hands are necessary, such as assisting in long drives, helping execute search warrants, or supporting in other ways.

Several WED officers noted they would not request support from EED for most kinds of field work as EED officers did not have the proper equipment (ie. Sidearm) to support WED officers in their work. Several officers stated this is possible when a mission is planned in advance; organizations such as the RCMP or Provincial Police are generally happy to provide support when given notice. However, other organizations are less able to provide the same level of support on short notice due to their own needs and operational requirements.

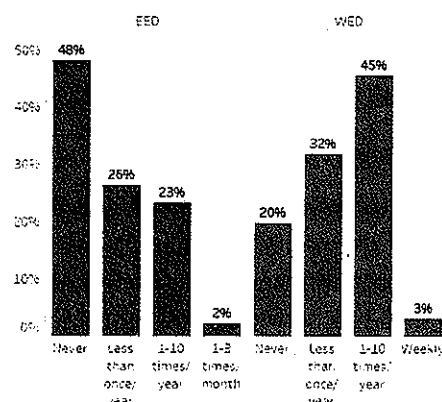


Figure 10 - The frequency with which respondents assist their sister directorate.

English	Français
EED	
48%; 26%; 23%; 2%	
Never	
Less than once/year	
1-10 times/year	
1-3 times/month	
WED	
20%; 32%; 45%; 3%	
Never	
Less than once/year	
1-10 times/year	
Weekly	
0%; 10%; 20%	

#### 3.4.4 Remote locations

- As expected, a clear majority of Enforcement Branch officers stated they work in remote areas. 92% of officers answered this, the only exception to the norm was that 37% of EED officers in Ontario do not work in remote areas. This is likely due to two specific reasons. Southern Ontario is largely urban or rural with good cell coverage and few truly remote areas. Also, much of Southern Ontario's work is linked to urban tasks (For example, ensuring urban businesses stay in compliance with environmental regulations.)

With regards to remote locations, officers noted two primary concerns:

- If something bad happens, officers are on their own in terms of backup or assistance. One officer stated that "when things go wrong in extreme environments – in this case in the Arctic and especially when water is involved, they go wrong really quickly." This is compounded if assistance is several hours away.

- Communications serve the needs of reporting in remote areas, but do not serve for support or emergency purposes.

Officers generally gave the impression that working in remote locations was part of the job and aspects of it are unavoidable. One officer noted that flights from Iqaluit to Resolute Bay can cost upwards of

\$4,000 and can come with limitations in terms of gear (officers stated they would sometimes have to use gear provided by local or partner agencies on arrival). The cost of bringing additional officers could be prohibitive and work-alones in some cases were required. However, remoteness was a common theme in areas officers identified as having the greatest risk exposure. This is compounded by communication and HR deficiencies, identified in greater detail in chapter six. Officers noted that partner organizations, such as the RCMP, DFO, or a local organization could support EOs to reduce risk exposure.

### 3.5 Threats encountered

#### 3.5.1 Perceived risk at officer locations

*EOs perceived First Nations reserves as an area where guidance and training are required to reduce risk.*

*Working in remote locations links many of the locations where EOs perceive the highest risk.*

During the study, EOs were asked to grade the threats and risks they faced at different work locations.<sup>4</sup> Officers graded risks from a scale of 1-5, where one was the least risk, and five had the most danger and risk. Officers were told that this was to be a general understanding of the situation and to pick the number they felt best fit the situation. Data was split into two Likert charts (next page) which show how officers in each Directorate view the threats and risks posed at each location.

Many respondents had difficulty answering these questions for two reasons. Many officers noted that the variety of events that occurred in any one location were so broad that it was extremely difficult to assign one number to cover all situations. Another interviewee had a basic challenge with the question; he/she stated that the situation was not the deciding factor, rather the EO must be at high alert at all times when fulfilling a mission as anything could happen.

---

<sup>4</sup> Many officers noted the difficulty in completing this exercise due to their work being so varied. Work on an industrial site could be completely safe through proper safety procedures, another industrial site could have very different safety standards and pose a greater risk.

# Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

April 21, 2017

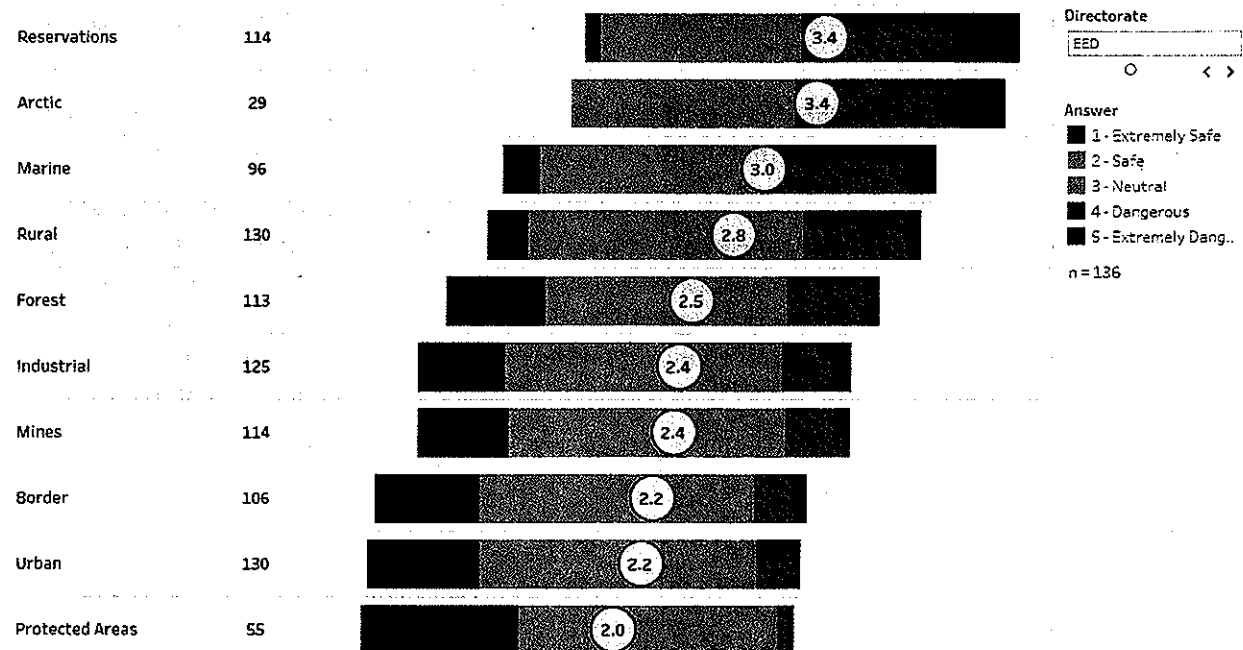


Figure 11: The perceived risk EED officers face at the locations at which they work.

English	Français
Reservations	
Arctic	
Marine	
Rural	
Forest	
Industrial	
Mines	
Border	
Urban	
Protected Areas	
Directorate	
EED	
Answer	
1 - Extremely Safe	
2 - Safe	
3 - Neutral	
4 - Dangerous	
5 - Extremely Dang.	
n = 136	

# Threat and Risk Assessment of Enforcement Officers, Enforcement Branch ECCC

April 21, 2017

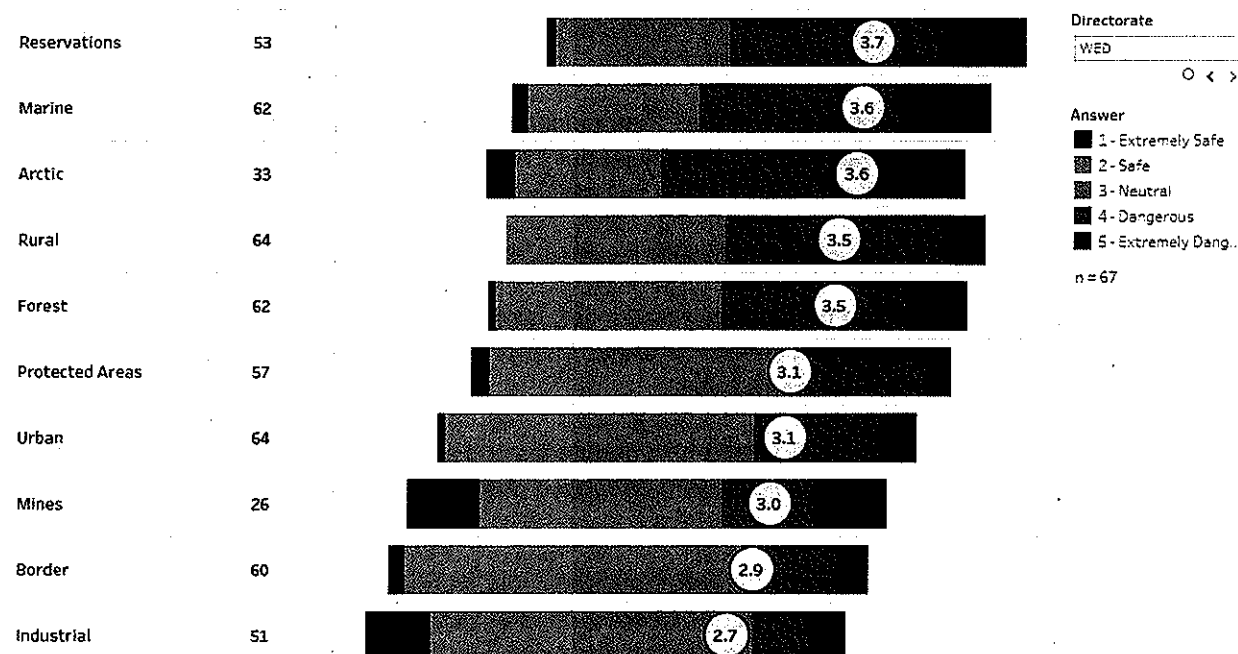


Figure 12: The perceived risk WED officers face at the locations at which they work.

English	Français
Reservations	
Marine	
Arctic	
Rural	
Forest	
Protected Areas	
Urban	
Mines	
Border	
Industrial	
Directorate	
WED	
Answer	
1 - Extremely Safe	
2 - Safe	
3 - Neutral	
4 - Dangerous	
5 - Extremely Dang.	
n = 67	

## Comparing the Directorates

Upon viewing the charts, some immediate points were visible.

- In general, WED officers perceive their jobs as more dangerous than EED officers perceive theirs.
- The top-5 and bottom-5 locations are the same for both Directorates.

- Isolation and remote locations are core elements of the five most dangerous areas. If something bad happens, the officer is on his or her own.
- Except for EED officers in protected areas, every location had at least one officer from each Directorate note that it was 'extremely dangerous.' This speaks to the wide variety of different roles, activities and situations upon which the Branch's work touches.

Additional analysis and officer quotations allows for some of the following insights:

- Anecdotally, officers stated that a large reason why they ranked Arctic and marine environments as high as they did was largely due to OHS risks. The three remaining locations are reservations (*First Nations reserves*), rural, and forests.
- Officers noted that it is not uncommon for people in rural and forest locations to have access to weapons. Moreover, access to backup and effective communications is difficult or non-existent in those locations.

*The Enforcement Branch's challenges on First Nations, Metis and Inuit lands*

Respondents were sensitive to the challenges of working on First Nations and Inuit land. The overwhelming majority of, if not all respondents provided some historical context with their answers, noting the historical sensitivities of the issue.

Respondents noted that they lacked adequate cultural awareness and direction as representatives of a governmental enforcement arm and it was not unreasonable for First Nations peoples to distrust EB officers. Officers were emphatic that work would not be possible without the cooperation of band leadership and noted the importance of developing relationships between EED and First Nations clients. Officers also noted that First Nations and Inuit communities were distinct from each other; every First Nation had its own unique history and leadership structure. Agreements between First Nations and Inuit and the EB are of an entirely different nature than MOUs with the RCMP or negotiating with a CEO.

When responding to the work that was done, survey respondents stated that *First Nations reserves* were difficult grounds on which to perform work due to inadequate training and protocols for engagement. Officers noted that different perceptions of the government and law enforcement led to increased tensions while conducting inspections on First Nations land. Different cultural perceptions from different historical backgrounds could lead to differing views on a similar issue.

One EED officer noted that they would avoid reserves where possible. The officer stated that it was possible to do the needed work, but the additional challenges in working within the required structures, combined with it being a very risky situation, made it easier to just work on other files.

One officer expressed frustration when discussing the challenges regarding First Nations people and working on reservations. The officer was emphatic that with proper training, time and sensitivity to conditions, working on reservations was extremely safe. The officer argued that many of the challenges EB has on reservations were self-inflicted; a lack of training, patience, and EO self-awareness could escalate a situation beyond an EO's control. Other interviews do not dispute this view. For example, some officers noted a 'call ahead' policy with First Nations land which led to a greater emphasis on compliance rather than investigation. Viewing cooperation and advance calls as a limitation to officer ability to work speaks to the three points noted above: a lack of training, patience, and understanding on the part of some EOs.

***Deduction 3.1 - Identify and develop officers within the Branch whose primary role will be to liaise with First Nations peoples. These officers will be responsible for work on First Nations reserves and display the appropriate cultural awareness and sensitivities this requires.***

### 3.5.2 Perceived Risks

EB respondents face a wide threat spectrum when doing their jobs. Threats are grouped into the categories of either an environmental or a human source.<sup>5</sup> This section examines only interview content and does not corroborate it with other data. It focuses on the EO perspective.

#### 3.5.2.1 Environmental

Environmental threats in this case are threats that occur from non-human sources. This report considers three different categories of threats: environment, wildlife, or industrial.

##### Environment

*Environment is a significant source of risk for EOs, especially as EOs work in remote locations.*

Enforcement Branch officers work in every single one of Canada's environmental settings. Some create challenges for officers:

- Working in marine environments (around streams/rivers, lakes, or open water) are high-risk environments because they are on the water. Two officers independently noted, that "when things go bad, they go bad quickly on the water."
- Cold and winter weather conditions create other challenges including poor driving conditions, equipment malfunctions (such as batteries), or ice. Officers in both Directorates spend a significant amount of time driving and winter weather can make this difficult.

Sixty-two officers noted they work in the extreme environmental conditions of the Canadian Arctic. The extreme cold combined with the remoteness of locations creates a significant problem for officers.

- When working in remote communities, officers may be several hours away from Branch support.
- The extreme cold affects officers' ability to communicate; cellphone batteries die and it is hard to unlock a phone with cold fingers.
- "When working in an arctic environment, there is little room for error. The number of risks is lower but if something goes wrong, you're on your own."

Importantly, threats from the environment are often exacerbated by the remote nature in which they occur. Officers working far from support with inadequate communications (documented in chapter six) elevates the risk to officers.

##### Wildlife

While in the field, the most commonly cited wildlife danger is bears. The presence of bears was widely cited within the interviews as the primary wildlife danger that officers faced when in the field, especially when in remote areas.

---

<sup>5</sup> This section examines only the external threats to officer safety. Internal factors exist that do not effectively protect officers and these are examined in Chapters Six, Seven and Eight in this report.

Officers also encounter dangerous exotic animals, in particular reptiles, while working. One officer confiscated a python on his/her job. Another officer noted that that he/she had to inspect an imported snake but the airport did not have the facilities to do this effectively. As a result, the officer had to travel to the animal's destination to do this safely.

***Deduction 3.2 - Ensure officers have adequate access and regular training on the employment of wildlife-protection equipment. (ie. Shotguns with lethal or non-lethal slugs)***

***Deduction 3.3 - Ensure officers are properly trained, receive refresher training and have access to proper equipment if handling dangerous exotic animals.***

#### Industrial

Officers voiced a variety of views on the threats posed at industrial sites. Experiences on industrial sites ranged from extremely safe to extremely dangerous. Officers often stated they were in a highly-controlled environment which, generally speaking, is quite safe. Officers nearly always receive health and safety training upon arriving on site. Given that many of the sites are highly-regulated workplaces, they note that dangers can be kept to a minimum.

However, this is not universal. Several officers noted unique challenges that occurred while working in specific locations:

- The presence of sour gas (H<sub>2</sub>S),
- Inadequacy of health and safety preparations. Some industrial sites will have equipment and material not familiar to the officer and
- Some officers work at heights with chemical vapours in their faces.

***Deduction 3.4 - Ensure time is available to use a risk-based approach to prepare officers for the specific conditions they face in their jobs, especially in an industrial setting.***

***Deduction 3.5 - Use intelligence and interagency cooperation to better assess dangers in industrial settings.***

#### 3.5.2.2 Human – Clients

WED and EED officers routinely interact with their regulated communities (also known as clients). This section examines the interactions between EOs and four different client groups:

- Hunters
- Farmers
- Fishermen (not identified prior to starting the study)
- Sovereign citizens (not identified prior to starting the study)

Generally, officers tended to agree that the highest-risk interactions with clients came from interactions where an officer:

- Enters onto a client's land who felt the officer did not have the right to conduct work in a situation.



- Is in a position where he/she could impact the client's way of life through either fines or restrictions.
- Encounters an individual with criminal history.

While any situation has the potential to escalate and officers must remain vigilant at all times, these situations appear to hold the greatest potential for unexpected escalation.

Deliberate operations with known clients presents the greatest opportunity to reduce risk exposure to EOs. With the proper preparation, good intelligence, and a better understanding of the operational environment, an EO can better understand how to approach a situation, request support, and transfer danger to another organization.

***Deduction 3.6 - Support EO safety through better intelligence processes to support their ability to understand a situation prior to arrival.***

#### Hunters

WED officers routinely interact with hunters during hunting season. This includes checking permits, kill limit, and ensuring that mandate legislation is not broken. Most WED officers stressed that most hunters are compliant and present no problems. One officer referred to many of the checks as "an opportunity to stop and say hello", emphasizing the non-confrontational nature of interactions with hunters. However, WED officers stressed that hunter checks were difficult and unpredictable situations due to:

- The random nature of patrols meant an unpredictable environment,
- Isolation from other organizations or partners,
- Prevalence of weapons,
- Hunters tend to outnumber the officers checking them, and
- Limited or no access to CPIC checks in remote locations.

Officers brought up specific examples of incidents where they checked hunters acting illegally:

- Drunk hunters. Intoxication increases the potential for escalation due not only to the nature of alcohol but that it is a citable offence.
- Hunting groups on illegal night hunts.
- Unlicensed guides leading hunting expeditions.
- 'Rural surveillance.' This is a joint operation with US to monitor hunters illegally crossing the border. EOs consider this a high-risk takedown as hunters cross the border illegally, hunt illegally, and carry weapons across the border illegally.

Several interviewees stated that members of organized-criminal groups enjoy hunting. While not illegal, a uniformed EO interacting with these people can create extremely volatile situations.

WED EOs generally stated that interacting with hunters is a core component of the job that the majority of the time is problem free. However, interactions with hunters were frequently cited as situations that could become extremely dangerous and unpredictable in a matter of seconds. Officers cited that "you never know who you'll come across" in a given day, and it is difficult to plan for this part of the job.

## Farmers

While similar percentages of EED and WED officers stated they contact farmers, the monitoring and inspections of farmers falls largely on EED officers. EED officers noted that interacting with farmers was one of the riskiest activities they undertook, specifically because EED officers interact with a farmer's business and livelihood. This results in an unpredictable situation.

New and stiffer regulations mean that interactions with farmers have the potential to escalate quickly. One officer stated that minimum fines can run as high as \$100,000 for offenders, an amount that can cripple a business. This is compounded by the fact that officers are on the farmer's land (and sometimes in his/her house) and that questions of EED authority and legitimacy can come up.

One officer recounted the following anecdote:

*"An officer and I were serving a summons to an individual. The individual's wife had left him the week before, he had just declared bankruptcy, and now officers show up to deliver a summons. He went upstairs to get paperwork. I remarked to my other officer that "I hope he's not coming back with a rifle." The individual was clearly in a place of having nothing to lose. Ultimately, the farmer was compliant and there were no problems, but this was a huge safety risk in terms of having no clear understanding of what the threat was."*

These types of situations are extremely dangerous to police officers. Cadet police officers receive special attention to these situations during training due to the danger posed to officers from allowing an individual to go unattended into a different location. Improvements in training and the use of intelligence in mission preparation will directly improve EO safety to avoid similar situations.

**Deduction 3.7** - Institute a standard set of background checks and intelligence measures to improve officer safety when conducting inspections or delivering summons on farms.

**Deduction 3.8** - Ensure basic training includes situation control, appropriate behaviour and defensive posture when entering the residence of a person, particularly when that individual has access to weapons.

## Fishermen (not specifically identified in the study)

Upon beginning the survey, it became apparent that EOs interacted with fishermen on an ongoing basis on the coasts. Respondents who conducted inspections upon fishing boats noted the following physical indicators of potential problems:

- Tools that can be repurposed as weapons are always present on fishing boats (knives and machetes are required implements on boats and fishing boats often have a long-gun to shoot at seals to keep them away from salmon nets).
- Confined spaces with little area for retreat.
- One member of the team often remains on the EB's boat, meaning that fewer individuals are available for enforcement duties; generally, there are more fishermen than officers on board a boat.

Attitudes towards EOs on the coasts and in fishing villages are complex. As in the previous example, EOs can act in ways that impact fishing villages and from the client community's perspective, needlessly alter the lives of inhabitants. One officer stated that DFO officers are not well received in fishing villages on the west coast; people feel that DFO is a direct threat to their culture, their way of life, and their livelihood. Illustrating the dangers faced when investigating illegal fishing activities, several DFO officers were fired upon by people illegally harvesting clams near Nanaimo. (Sterritt, 2017) It is both a politically and emotionally charged issue. DFO and EB EOs represent different agencies but members of the public do not always make this distinction. One EED officer recounted when he/she and another officer were mistaken for DFO agents on the coast and threatened.

**Deduction 3.9:** *Strategic communications messaging directed toward understanding of the need for the laws and regulations being enforced by EB should be planned and effectively disseminated in regions where EO's could be at risk.*

Sovereign citizens (not specifically identified in study)

Enforcement Branch officers' work in remote areas brings them into contact with individuals who reject the authority of the state. These movements have a variety of names, but officers most commonly referred to them as *Freemen on the land*, or simply *Freemen*. Loosely speaking, Freemen believe they are governed by natural laws and the imposition of state laws is an undue restriction on their freedom. This causes specific issues when interacting with law enforcement; Freemen take a naturally hostile approach to authority. Moreover, "one of the tenets of the Freeman-of-the-land movement is an unrestricted right to possess and use firearms." (Moore, 2013) To be clear, this holds no basis in Canadian law.

Interactions between EB officers and Freemen escalate quickly as Freemen do not recognize the authority of the Enforcement Branch over their activities. When this occurs in rural and forested areas, it is not uncommon for Freemen to also be armed. This creates a collision course between the officer and Freemen; the officer does not necessarily know that an individual subscribes to these beliefs until after an introduction or a confrontation has escalated.

### 3.5.2.3 Criminal

EB has extensive contact with criminality while enforcing its legislation. This includes both people breaking environmental legislation and people who are breaking other laws who also contravene environmental legislation.

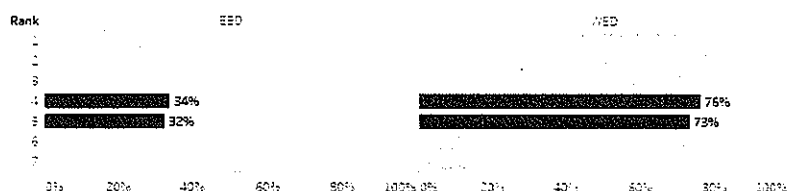


Figure 13 - Rank 4 and 5 (dark green) The percentage of EED and WED officers who perceive organized crime (top highlighted) and lone or individual criminals (bottom highlighted) as a threat agent.

English	Français
Rank	
EED	
WED	
0%; 20%; 40%;	

...	
-----	--

One WED officer noted a significant difference pertaining to enforcement and compliance between WED and EED. The officer noted that few people contravene EED law because they want to; mostly, they contravene it because they do not know or cannot comply. For example, installing a new gas tank can cost in the tens of thousands of dollars, a prohibitive amount for a small business. However, many of the people who contravene WED legislation, in particular the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRITA),<sup>6</sup> generally set out to do so. This includes activities like animal trafficking or night-hunting tours. The perceptions of EED and WED officers bear out this observation. WED officers view organized crime and lone/individual criminals as a threat risk that is roughly twice as prevalent as EED officers.

When responding to this question, several officers noted they did not know their clients were involved in crime until after the fact. This lack of advance knowledge adds significantly to the threats faced by the EO.

Chapters six through eight identify shortcomings in the training, intelligence, interagency cooperation and management processes which increase EO risk exposure. By addressing these challenges, EB can support EO safety in the organization.

#### Lone or individual criminals

Officers described a wide array of contact with lone or individual criminals. This includes people involved in non-violent crime, such as fraud, or persons that have records for violent crime such as assault, assault on a police officer, or domestic abuse. One officer noted a significant cross-over between animal crime and petty crime, such as break and enters. Many noted that a willingness for individuals to become involved in animal crime signified a willingness to become involved in other types of crime. One officer recounted how he/she seized an illegal python from an individual. During the seizure of the python, the officer stated officers saw hard drugs on the table.

#### Organized crime

Many officers encounter organized crime in their work. This includes in the following ways:

- Through standard enforcement
- Trafficking

---

<sup>6</sup> WAPPRITA applies to the following animal and plant species:

- Species on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) control list;
- Foreign species whose capture, possession, and export are prohibited or regulated by laws in their country of origin;
- Canadian species whose capture, possession, and transportation are regulated by provincial or territorial laws;
- Species whose introduction into Canadian ecosystems could endanger Canadian species.

The Act forbids the import, export and interprovincial transportation of these species, unless the specimens are accompanied by the appropriate documents (licenses, permits). In all cases, the Act applies to the plant or animal, alive or dead, as well as to its parts and any derived products.

- Additional activities of organized crime

The perceptions of the danger of organized crime suggests a confused picture of the threat organized crime plays to the organization.

When EED officers were asked if they had a fear of organized crime, roughly 50% of respondents from the Executive and Management levels stated they did. However, only 18% of enforcement officers stated they had the same fears. Only 11% of intelligence officers, whom we would expect to be roughly equivalent with management stated they had a fear of reprisals from organized crime.<sup>7</sup> When starting this study, The Northgate Group was informed the Enforcement Branch did not view the role of intelligence as one to provide insight into threats and risks that officers faced. This could lead to the observed difference in perceptions and it underscores the fact that EB is not an intelligence-led organization.

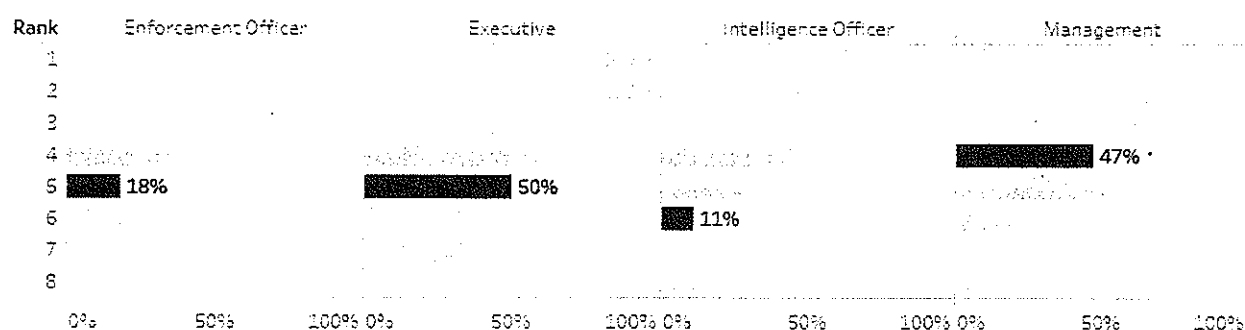


Figure 14 - The breakdown by position of whether or not individuals feared reprisals from organized crime.

English	Français
Rank	
Enforcement Officer	
Executive	
Intelligence Officer	
Management	
0%; 20%; 40%; ...	

There may be a variety of reasons why intelligence resources are not shared more widely; for example, management's and the executive's view over the organization may provide a better view of the threats faced by the organization. Also, fears of organized crime may be misplaced (by either the front-line officers or management/executive) or there could be a failure to communicate the realities of threats and risks to the front-line officers. Whatever the cause, an improved ability to communicate and share threat intelligence and perceptions between front-line officers and management/executive will lead to a better ability for officers to protect themselves. It is also possible that supporting partner agencies may not have an effective way of processing intelligence so that it can be shared with front-line EB officers with- out compromising the sources of that intelligence. This would have to be done in the manner of the Integrated Terrorism Assessment Centre (ITAC) which routinely processes a range of intelligence products and processes them for partner institutions such as members of the Canadian security

<sup>7</sup> While this question was worded as fearing reprisals from organized crime, it should be viewed in a broader light. Although interactions with organized crime presented a higher risk for the officer; interviewees were worried about a variety of different issues.

intelligence community, provincial emergency authorities, first responders and the private sector. I

#### Standard enforcement

As mentioned previously, members of organized criminal structures hunt recreationally while breaking no laws. One officer noted that he/she did perform hunting checks and it was later determined the people this individual was checking were members of organized criminal structures. The officer did not mention that he/she had any problems with compliance on the clients' part and indicated checks generally go smoothly. However, this illustrates a clear threat to uniformed officers interacting with potentially violent individuals.

#### Trafficking

WED officers noted that wildlife trafficking was the 3<sup>rd</sup> most-lucrative illegal activity in the world with potential for sizeable profits. WED officers noted some of the following areas of concern regarding the trafficking of animal parts:

- Bear bladders for traditional Chinese medicine
- Ivory from narwhales or walrus in the Arctic
- Export of pelts, in particular polar bear pelts

In addition, multiple officers noted that anecdotally there was a large overlap of drug and animal trafficking. As in the previous section, if an individual has no compunction about illegally trafficking animal parts, there is little to stop him/her from trafficking drugs as well. In the same regard, depending on the substances being trafficked, it is possible for organizations to use the same trafficking infrastructure to move both substances simultaneously.

Multiple WED officers also referenced the seizure of goods from suspected Mexican cartel members. The suspected individuals had been hunting in the Arctic and were seeking to return with trophies. Officers stopped the individuals at the border, they were arrested and their trophies confiscated.

#### Additional areas of organized crime

EB legislation also has touch-points with other activities that involve organized crime.

One EED officer noted that the illegal disposal of hazardous waste was of interest to organized crime. Another officer recounted an example of discovering an organized criminal ring that was disposing of hazardous waste. This was communicated to the region, however, the officer noted that he/she believed the case was eventually discontinued, the reason given was that it was too dangerous due to the links with organized crime.

The work of the EB in seaports is another area of contact with organized crime. (Standing Senate Committee on National Security and Defence, 2007) One officer described the following example:

*Several officers and I were doing surveillance at [a port -- redacted] and monitoring stevedores from a distance. We were sitting in a car from several kilometres away just watching. There was a knock at their window.*

*"What are you doing?"*

*"We're monitoring some stuff down at the harbour."*

*"I'm one of the guys you're monitoring, I suggest you get out of here."*

Although the officers left without incident, this raises two specific concerns. Whoever knocked on the window had the resources to understand they were being monitored and the capacity to send an additional individual to that site to communicate his or her displeasure. In addition, this was a clear attempt to intimidate federal officers doing their jobs.

**Deduction 3.10** - Officers do not fully utilize MOUs with partner organization for investigations that involve organized crime.

Dangers from human assaults

Some officers reported being assaulted during their work. Both Directorates have rates that are similar in terms of being assaulted or threatened with a weapon while on the job.

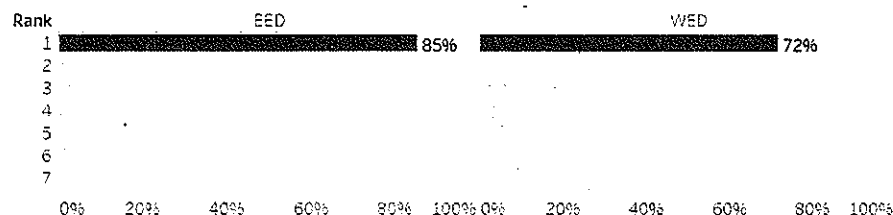


Figure 15 - Respondents who stated they had never been assaulted or threatened with a weapon in the course of their work.

English	Français
Rank	
EED	
WED	
0%; 20%; 40%; ...	

In context, this helps to identify the rates at which individuals are threatened in the course of their work. According to the responses, WED officers more commonly face threats and assaults from individuals with weapons. The data does not differentiate between threats and actual assaults.

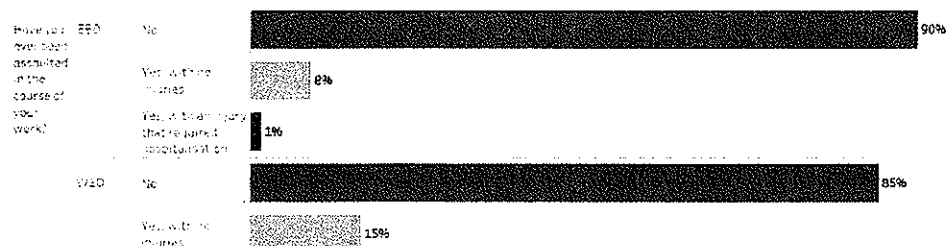


Figure 16 - Respondents' answers to question of if they have ever been assaulted in the course of their work.

English	Français
Have you ever been assaulted in the course of your work?	
EED	
No	
Yes, with no injuries	
Yes, with an injury that required hospitalization	
WED	
No	
Yes, with no injuries	
8%; 1%; 15%	

One observation apparent in the interviews was a repeated concern for the potential for assaults and dangerous interactions.

*People are people – you never know how they're going to react. A 'low-risk' situation can quickly escalate.*

Some officers noted the seeming disparity between how officers perceived the danger in their jobs, and the reality that there had not yet been an incident that cost an officer his or her life since the creation of WED and EED. They believe that the danger to their persons could not be accurately assessed via the number of incidents or injuries that had occurred.

The research team had difficulties truly assessing the level of danger that officers faced due to a number of aspects that will be covered in chapters six and seven, but they include:

- Insufficient training for all officers to effectively identify and evaluate a situation for appropriate threats
- Insufficient intelligence to effectively prime officers to the risks they will face
- Insufficient policies to allow officers to come forward with questions and concerns
- Improper work practices which directly lead to dangerous situations
- Insufficient documentation processes (reporting) to better understand the organizational threats officers face

Officers perform basic law-enforcement work which carries inherent risks for which they must account. The EB must ensure that officers are enabled to properly prepare for, identify, assess, deal with and finally report on those risks while staying safe.



### Preoccupations with specific partner organizations

Officers brought up specific concerns about some Territorial Wildlife Officers, stating issues around hiring practices for the Territorial Wildlife Officers exist, which puts EO safety at risk. Officers cited that some Territorial Wildlife Officers are not fit for this specific position specifically because they have pending charges or criminal records. This impacts the trustworthiness of specific, unqualified territorial partners in these regions. EB has trouble partnering with those organizations because they are not confident information will remain within the organization.

### 3.6 Assistance between law-enforcement bodies

Enforcement Branch officers rely on support from internal and external law-enforcement bodies. WED officers demonstrate a far higher level of interaction with other law-enforcement bodies than their EED counterparts.

#### 3.6.1 Support for sister directorates

Officers from both directorates stated they provide and receive assistance to their sister directorates. Anecdotally, support is largely not enforcement-related in nature; officers often recounted supporting in search warrants, with driving/travel needs or other situations where “another pair of hands” was needed. Officers from both directorates noted they worked on files together when appropriate.

Several WED officers stated they would not ask EED officers for support in any enforcement activities as EED officers were not equipped with the tools to provide the necessary support to WED officers if it were required.

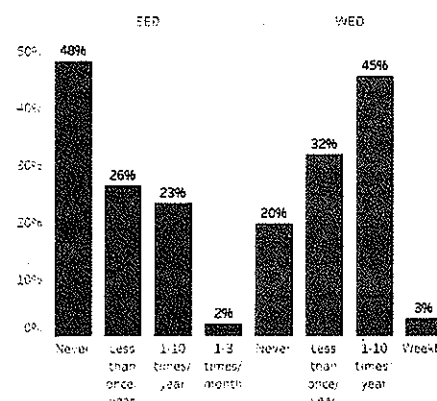


Figure 17 - Officers stated support to their sister directorate.

English	Français
EED	
48%; 26% 23%; 2%	
Never	
Less than once/year	
1-10 times/year	
1-3 times/month	
WED	
20%; 32% 45%; 3%	
Never	
Less than once/year	
1-10 times/year	
Weekly	
0%; 10%; 20%; ...	

#### 3.6.2 Support to armed law-enforcement agencies

Respondents noted that external armed law-enforcement bodies require the assistance from both EED and WED, although the rate of support that WED provides to other armed law-enforcement agencies is far greater than it is for EED.

Both directorates appear to assist other federal agencies more than provincial or territorial counterparts, although this is not a concrete rule. As a general trend, this consists of RCMP, DFO, and CBSA. Much of this appears to be non-enforcement in nature, especially on the EED side.

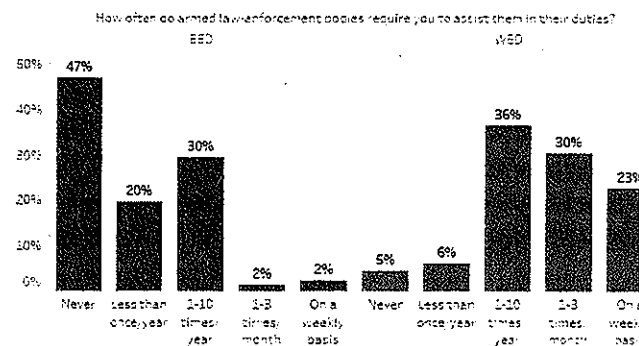


Figure 18 - Officers' perception of how often they provide support to other armed law-enforcement bodies.

English	Français
How often do armed law-enforcement bodies require you to assist them in their duties?	
EED	
47%; 20% 30%; 2%; 2%	
Never	
Less than once/year	
1-10 times/year	
1-3 times/month	
On a weekly basis	
WED	
5%; 6% 36%; 30%; 23%	
Never	
Less than once/year	
1-10 times/year	
1-3 times/month	
On a weekly basis	
0%; 10%; 20%; ...	

### 3.6.3 Support from armed law-enforcement agencies

WED also requests far more assistance from armed law-enforcement agencies than does EED, both in advance and after arrival.

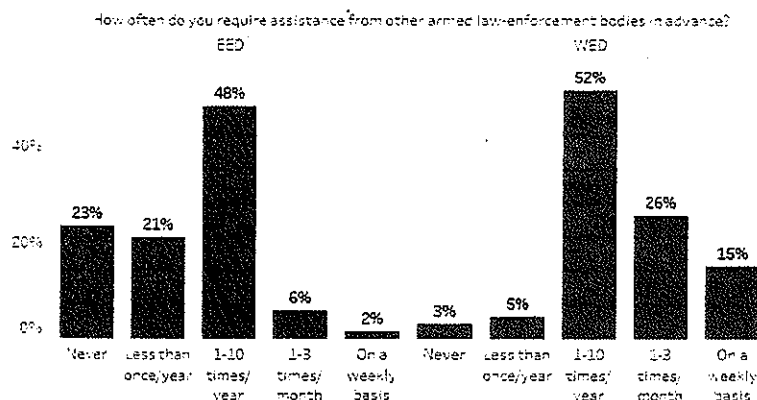


Figure 19 - The rate at which officers request assistance from other armed law-enforcement bodies in advance.

English	Français
How often do you require assistance from other armed law-enforcement bodies in advance?	
EED	
23%; 21% 48%; 6%; 2%	
Never	
Less than once/year	
1-10 times/year	
1-3 times/month	
On a weekly basis	
WED	
3%; 5% 52%; 26%; 15%	
Never	
Less than once/year	
1-10 times/year	
1-3 times/month	
On a weekly basis	
0%; 20%; 40%	

Both directorates require assistance from other armed law-enforcement bodies in advance. EED often requests additional support for situations that could become dangerous. Officers noted that they request support in some of the following situations: access to remote areas, notice, interacting with high-risk persons, serving search warrants or summons, or in cases where there is reason for a heightened risk awareness. WED officers identified fewer cases, but also noted they would notify other agencies to: provide notice, acquire knowledge/intelligence about the area and inhabitants, perform particularly high-risk work, or to give professional courtesy that they are working in the area.

Officers noted that planning is crucial for providing additional support from law-enforcement agencies. To acquire support, it was important to reach out several days in advance. Other agencies have their own work to do and are often not able to respond quickly to requests if they are needed. This is especially the case when requests are last minute in remote areas. This can impact officer safety if insufficient planning results in an inability to request officer access.

Officers also noted they would call for backup occasionally. Although the research cannot confirm how often this would occur, anecdotally officers would withdraw and await backup before returning.

The data shows that EED officers request more assistance than they provide. However, WED is in reverse, and they likely provide more assistance than they request. This is likely since WED officers carry a sidearm and can provide more support to law-enforcement agencies when required.

**Deduction 3.11** - Ensure EED and WED officers obtain the support required from local law-enforcement bodies.

### 3.7 Response time in case of emergency

Response times in cases of emergency varied widely depending on the officer and location of the call. When officers are in remote regions, they generally have a longer wait time if they require assistance in

an emergency. Data for both EED and WED officers suggests that if officers require armed backup, it is either on its way within 20 minutes or it will take longer than 90 minutes to arrive.

As noted in the charts on pages 11 and 12, the officers tend to view isolation as a primary cause of many of the threats they face.

***Deduction 3.12 - An improvement in EB intelligence capabilities could decrease the risk exposure faced by EB officers.***



## 4 Operational activities

### 4.1 Introduction

The Enforcement Branch (EB) Enforcement Officers (EOs) conduct operations to fulfill their mandate. Chapter 5 reviewed the conditions, hazards and threats that EOs face in their work. In the realm of Risk Management these issues, and loss exposures (Money Control, 2017) are considered *hazard risks*. As with every organization that conducts operations where there is a combination of people, processes and technology there are loss exposures due to *operations risk*. This chapter will focus on the operations conducted by EB and identify potential loss exposures in the conduct of operations, operational processes (including the use of intelligence and technology), EO training and the means and tools provided to assist EOs.

The 2011 Auditor General's (2011 AG) report clearly states EB's inability to conduct operations to fulfill its mandate. This report also referred to a 1998 Standing Committee that stated the same.

Since the 1998 Standing Committee Report, the different versions of the Environment and Climate Change Canada have taken steps to address the shortcomings. The position of a CEO was created and the creation of the Enforcement Branch with two distinct Directorates also occurred. However, the AG report notes the following:

*Despite these improvements, we found that the Department has yet to address some significant shortcomings, such as:*

- regulations that are difficult to enforce,
- inadequate to inform enforcement planning and targeting, and
- inadequate training to support enforcement officers....

*Two of these shortcomings were identified over a decade ago. The May 1998 report of the Parliamentary Standing Committee on Environment and Sustainable Development identified a need to rewrite regulations to ensure that they are enforceable. It also identified the lack of a comprehensive intelligence gathering and analysis capacity at Environment Canada. (Office of the Auditor General, 1999)*

At the time of this report and based on TNG analysis, it seems that despite some initiatives and reorganizations within the EB over the past 20 years, the challenges in better intelligence to assist in planning and targeting operations and offering adequate training required to enforce their mandate mentioned in the reports cited above still persist. Turnover of key personnel, evolving mandate and lack of clear priorities are undoubtedly key factors to this lack of marked improvement on these files. However, a 19-year challenge, from the 1998 House of Commons report until the time of the writing of this report would suggest major cultural systemic issues such as lack of a clear mission and mandate, an organizational vision and leadership buy-in.

Our assessment identified four key areas where EB leadership can focus their efforts to address the shortcomings identified in the reports. These would also mitigate operational risks:

1. improve the intelligence framework to better prepare EOs;
2. implement reliable communications to allow for efficient two-way communication;
3. ensure proper training to accomplish the mission, operate equipment and provide for officer self defence and first aid; and
4. procure and deploy appropriate equipment required by the officers.

ISO 31000 on Enterprise Risk Management describes five Risk Treatment Techniques that EB leadership could also consider and depending on the type of operation and the client, when they can be applied to EB Operations.

1. Avoid Risk. Given the EB Mandate to enforce, outright avoidance of the risk is not acceptable. The "costs" of doing nothing would mean failing to meet the mandate. Management must however determine how much risk should be placed on officers before the costs of action outweigh the benefits of action. This provides a clear line for when an EO is to cease activities on a file as the risk becomes too great to justify attempting to fulfil the mandate. An example of this may be

to cease operations when it becomes clear the adversary is linked to an international criminal syndicate.

2. Modify Likelihood or Impact of Risk. When conducting operations, EB leadership should take measures to reduce the likelihood of loss before deployment. These measures should plan and prepare the officer to mitigate risk to reduce impact once the operation starts.
  - a. Reduce likelihood – The aim is to prevent loss through processes, training and technology. For example, improved EB use of intelligence assessments or more thorough CPIC preparation would reduce the likelihood of officers being caught unawares on mission.
  - b. Reduce impact – The aim is to reduce loss reduction or manage consequences. For example, the ability to call pre-positioned backup would reduce the wait time for officers if something went wrong. Another example is OHS training to reduce impact in the case of an environmental emergency.
3. Transfer the Risk. There are some circumstances, based on intelligence or resource pressures when executing a contractual transfer or risk sharing (outsourcing) would be wise. An example would be the use of other law-enforcement agencies when the risk is considered high enough that an armed presence is required, such as the presence of organized crime.
4. Retain the Risk. Once the risks are mitigated through improved everyday operations and processes, routine operations will still have a residual risk for which officers can be trained.
5. Exploit the Risk. Some risks can be used to create momentum for change that will lead to improved organizational efficiencies. During the study it also became clear that the non-compliers and clients were encouraged to exploit the lack of EOs in the EB by breaking laws when they judged the risk was lowest of being caught. Reviewing the operations process, EB could implement new inspection and investigation methods to proactively address this perceived shortage. EB could also increase reliance on intelligence as a force multiplier in the field, devoting re- sources to improve the work of individual EOs.

Crucial to understanding the operational risk an organization faces is analysis of the organization's mission. Without this analysis it is impossible to evaluate the degree to which successful OE activities contribute to the organization's overall success. However, other than the mandate and role for ECCC and a brief description of the Enforcement Branch there is no clearly stated mission or vision statement. At the department level in the ECCC Departmental Plan 2017-19, the Role and Mandate section states "the enforcement of rules and regulations". (Environment and Climate Change Canada, 2017) The closest statement to a mission statement for the Enforcement Branch is on its website: "Enforcing laws that protect air, water, land and wildlife". Using this as a mission statement, we can deduct that the Enforcement Officers cannot do this mission without going out and interacting with a broad range of regulated persons and organizations. As a result, operational risk is largely based on how prepared the officers are when they embark on their task and on the EB support provided before, during and after.

## 4.2 Conduct of Operations

*A discrepancy between HQ and regions in the conduct of operations and priorities leads to lack of control and accountability. The result is additional risk exposure to EB officers and liability for HQ.*

EB operations seem mostly conducted in a decentralized fashion and directed by the Regional Directors (RD) without much central oversight. Contrary to the 2011 Auditor General's report (Environment and Climate Change Canada, 2011), the author did not identify any evidence of EB applying a "rigorous risk-based approach to enforcement planning, where threats and risks to the environment and human health are factors in priority decision making". While EB provides national priorities and some direction, the research team's impression is that RDs conduct operations as they feel is best in their region. While local specificity has local benefits, it is important for all the operations EB conducts to fall under a national plan. National HQ, other than outlining the priorities and allocating resources, does not appear to have real command and control over operations. The priorities outlined in the departmental plan for the enforcement branch are too vague for what is required of operational and tactical direction on the ground.

The 2011 Auditor General's report for the Branch's performance and intelligence framework for enforcement found little improvement from the key issues identified in the 1998 Parliamentary Report. This study notes that there is interest and there are or have been some initiatives but the core issues have not been resolved. Furthermore, given the relatively small number of EOs across the country, the complex mandate and the increased number of prosecutions, the *status quo* cannot be the response. With limited resources and increased mandate, both in tasks and complexity, operations have to be more centrally driven and more targeted.

The research team noted the current leadership is intent on introducing centralized priorities and allocating resources accordingly. This endeavour is going to take strong transformational leadership, more centralized direction and a cultural change. Altering the *status quo* of any organization is a challenging affair that requires strong leadership, sustained engagement, a comprehensive strategy, buy-in and a robust communications plan. As Peter Drucker is quoted "Organizational culture eats strategy for breakfast." (Organizational Culture Eats Strategy For Breakfast, n.d.) If EB is looking to implement significant changes to the organization, rewriting policy is only the beginning of the process.

Given the hazardous environment and the risks outlined in Chapter 5, the Crown Liability for the actions of the Enforcement Officers and limited resources, there is a requirement for a robust Operational Risk Framework to assist senior management in enacting real change.

The following sections will focus on outlining an Operational Risk Management Framework for the Enforcement Branch followed by sections based on the four key areas mentioned above where EB can mitigate its operational risk.

#### 4.2.1 Operational Risk Management

*EB does not appear to have instituted an operational risk management methodology for the conduct of their operations. As a result, EOs have an increased risk exposure.*

Operational risk is described by the Basel Committee on Banking Supervision as "the risk of loss resulting from inadequate or failed internal processes, people and systems, or from external events. As such, operational risk captures business continuity plans, environmental risk, crisis management, process systems and operations risk, people related risks and health and safety, and information technology risks." (PricewaterhouseCoopers, May2017)

Therefore, managing operational risk requires clearly understanding systems, processes and people in order to prevent failures that may lead to costly damage to finances and reputation.

EB operational procedures and ensuing operational risks to which the EB and Enforcements Officers are exposed have to be determined if the EB is to ensure a strong Operational Risk Management (ORM) process is in place. Observations and comments in this chapter will be based on the theory of operational risk management, interviews from Enforcement Officers, HQ staff, reports and readings from best practices on managing operational risks.

As EB conducts operations on a daily business, has a high operational tempo, and deploys its officers into hazardous conditions to accomplish a task, the evaluation of the ORM for EB is crucial. Chapter five of this report identifies and reviews threats and hazards that EOs face in the conduct of their jobs. Chapter six identifies ways in which EB can mitigate them by preventing and reducing the threats EOs face through an improved operational framework.

***Deduction 4.1:*** *A managed Operational Risk Management framework could assist in mitigating the risks EOs face in the conduct of their tasks.*

### 4.3 EB Operations

*The majority of EB operations are not intelligence-led operations.*

*Appropriate risk-mitigation methods are not being applied to **avoid, modify, transfer or exploit** the risks EB and its officers face.*

Before offering mitigating strategies for operational risk management, it is important firstly to establish what the research team understood during their time with EB. According to the CEO, the present operations tempo of EB is 40% proactive, (planned or deliberate), 40% reactive (unplanned or opportunity based) and 20% routine maintenance. This means only 40% of EB work is intelligence driven. EOs pre- pare for their intervention and potential eventualities, the operations manager monitors the ingress and egress of the team, and a report is submitted after the action is completed. Reactive operations are un- planned targeted tasks which may occur during a sweep of an area searching for "targets of opportunity." An example of a target of opportunity is a WED officer's activities during hunting season or EED officers on coastal patrol reacting based on their mandate with no clear idea of exactly what they will encounter on mission.

For both of these types of operations there are clear ORM components of Risk Mitigation that should be applied to reduce the risk of loss resulting from inadequate or failed internal processes and systems, human factors, or external events. The research team heard many examples of EOs entering into situations without situational awareness, much knowledge of the area or of the regulatee; this is a clear indication that Operations Risk Management for EB could be improved. Whether it be proactive or reactive, pre-intervention preparation and planning should be institutionalized. Therefore, regardless of whether the operation is deliberate or reactive, the team should have a Concept of Operations<sup>9</sup> (CONOP). The purpose of the CONOP is to ensure that the officers conducting an operation have a plan that is supported and known by all. This would help prevent and reduce risk exposures. Recognizing the importance of team cohesion, law-enforcement agencies are more frequently adopting this practice. In order to be effective, a good CONOP should be derived from intelligence (where applicable) and include the following aspects:

- specify the mission or task to be completed,

<sup>9</sup> A CONOP is a verbal or graphic statement that clearly and concisely expresses what the commander intends to accomplish and how it will be done using available resources. While the term is originally military in origin, it is also used in law enforcement.



- describe the situation and including details on the regulatees and supporting organizations
- specify the intent, the way, methodology or scheme of the planned manoeuvre,
- identify each person/entity's specific tasks,
- identify the chain of command
- provide all administrative and contact details as required
- coordinate instructions (timings, places, routes, radio frequencies), and
- include details of supporting agencies.

A CONOP can come in a variety of different formats depending on the needs of the team and complexity of the organization, or organizations involved. It can be an informal briefing before a routine operation or it can be in more detail.

***Deduction 4.2*** - An increased emphasis on proactive or "deliberate" planned operations would maximize the use of EB resources, directing them to areas with known, or at least probable outcomes can occur.

#### 4.4 Intelligence

The first of the four areas that an EB Operations Risk Management (ORM) process can enhance is the intelligence framework. As was mentioned earlier, too many officers enter situations "blind." Few EOs appear to make effective use of EB provided intelligence resources and many simply prepare their own intelligence. EB, despite senior leadership's intention to improve its intelligence capacity, still has a long way to go to meet their aspiration of being an intelligence-led organization. Bringing that to the level the EB requires will require significant investment.

Intelligence is analyzed information that is used to enable management and HQ to make informed, effective strategic decisions. Intelligence should be used to both provide insight into organizational direction while also providing direct tactical support to EOs to ensure they are aware of and understand the threats they face on their mission. It provides the user with knowledge that affords an opportunity to identify and manage the risk of an undesirable outcome. (Office of the Auditor General of Canada, 2011)

##### 4.4.1 Current Intelligence Program

When assessing the operational risk EOs face in the execution of their mandate, the most essential information is the threat identification. The amount of information an officer has before an engagement directly correlates with the officer's ability to prepare for reasonable outcomes when the operation goes live. Therefore, effective intelligence is essential to officer safety and organizational effectiveness. It ensures officers have knowledge of the risk environment before entering a potentially hazardous situation, and also supports an officer's ability to prioritize time and resources.

##### *4.4.1.1 EB intelligence documentation and leadership views*

The authors reviewed the 2011 AG report with regard to how the intelligence function has evolved within EB. It states that:

According to the Enforcement Branch, the role of the intelligence function is to

- provide knowledge of events likely to occur by identifying risks;

- enhance information on files, projects, and operations;
- assist in determining enforcement priorities; and
- provide managers with information to allocate their enforcement resources.

In her testimony to the Standing Committee on Environment and Sustainable Development, delivered Tuesday, November 29, 2016, Chief Enforcement Officer (CEO) Margaret Meroni stated the following:

*"We organize that around looking at a risk-based approach informed by intelligence and by gathering information from various parts of our organization, including our officers in the field, to try to determine where there is the highest risk to the environment and where we know there are higher degrees of non-compliance. It is a bit of a balancing act."*

In this sense, the Branch has noted and identified the need to develop a comprehensive intelligence program that can inform decision making and the effective application of resources to ensure they will have the greatest impact. The research team fully supports the statement of the CEO in the use and importance of intelligence within the Branch.

However, this vision has yet to be realized. When reviewing the survey with leadership, one of the comments the team received was that officers may not properly comprehend the question "Does the intelligence you receive provide adequate insight into the threats and risks you face in the carrying out of your duties?" The individual noted that,

*Our Intelligence Service looks at non-compliance risks, not at violence risks.*

The research team notes this is a distinct break from the stated aims of the intelligence to "provide knowledge of events likely to occur by identifying risks." The team agrees that intelligence is crucial to mitigate dangers to EOs via improved preparation for operations.

The current intelligence Directive 3.4.3 in its present form does not address the points mentioned above. It is more informational than a typical directive. It does not reflect the IRP, to be discussed at a later in this chapter, nor is it reflective of an intelligence-led organization.

EB's potential move to being an intelligence-driven organization has not resulted in clear expectations, policies, procedures, training, and accountabilities for the production and use of intelligence in the Branch. Turnover in the EB's intelligence area has also been significant: according to the Directorate, over the last three years there have been four managers. (Environment and Climate Change Canada, 2011)

**Deduction 4.3** - *EB intelligence policy does not line up with HQ's operational direction.*

**Deduction 4.4** - *EB has not reviewed and modified intelligence policy in such a way that it reflects that of an intelligence-led organization. This was a recommendation from the 1998 Parliamentary Report and 2011 AG Report.*

#### *4.4.1.2 EO perceptions of intelligence*

As detailed earlier in this report, EOs from both EED and WED displayed significant concern and confusion with respect to intelligence. In particular, they had questions regarding the current intelligence process and the value that intelligence provides.

Question	Answer	EED	WED
Does the intelligence you receive provide adequate insight into the threats and risks you face in the carrying out of your duties?	Yes	34%	40%
	Maybe	12%	11%
	No	42%	31%
	I don't know	13%	7%

Figure 20 - EB responses to whether intelligence provides adequate insight into the threats and risks individuals face in the carrying out of their duties.

English	Français
Question Does the intelligence you receive provide adequate insight into the threats and risks you face in the carrying out of your duties?	
Answer Yes Maybe No I don't know	
EED	
WED	

Across EB, the organization has the view that intelligence is largely insufficient to meet the threats and risks EOs face while carrying out their mandate. When examining how the organization viewed intelligence by rank (previous page), the results also show a perception across all ranks that intelligence does not adequately provide insight into the threats and risks officers face. This opinion is most prevalent with management. In each section, a large portion of respondents noted they are unsure as to the adequacy of intelligence in this regard.

At the regional level, the intelligence function is not uniform and raises additional concerns. EOs from Quebec appear satisfied with the intelligence provided regarding the threats they face in the course of their work. However, the data suggests the rest of the country perceives the adequacy of intelligence with regards to threats and risks does not, meet their expectations.

Officer comments suggested some of the following themes:

- Officers often produce their own intelligence
- Analysts are often seconded EOs with no

Question	Answer	Enforcement Officer	Intelligence Officer	Management	Executive
Does the intelligence you receive provide adequate insight into the threats and risks you face in the carrying out of your duties?	Yes	34%	22%	47%	29%
	Maybe	12%	22%	12%	20%
	No	38%	44%	36%	29%
	I don't know	15%	11%	9%	14%

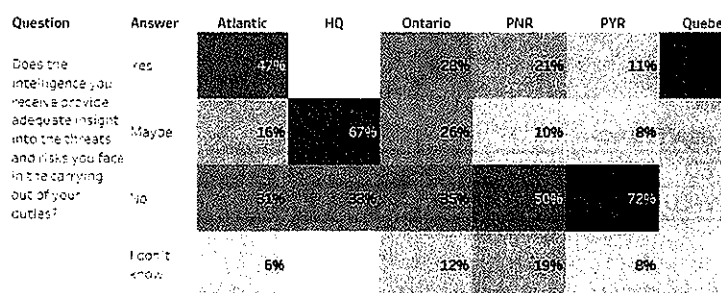
Figure 21 - EB responses to whether intelligence provides adequate insight into threats and risks individuals face in carrying out their duties, sliced by position.

additional intelligence training

English	Français
Question Does the intelligence you receive provide adequate insight into the threats and risks you face in the carrying out of your duties?	
Answer Yes Maybe No I don't know	
Enforcement Officer	
Intelligence Officer	
Management	
Executive	

- Intelligence rarely meets the operational needs of officers
- Intelligence officers are not integrated with the rest of the team and do not understand the operational environment

However, several officers were quick to note that intelligence officers them- selves are both overextended and un- der-resourced.



*One intel person covers half of Canada and is responsible for trends in commercial markets, TRAs, and needs analyses. They are extremely under-resourced.*

Figure 22 - EB responses to whether intelligence provides adequate insight into the threats and risks individuals face in carrying out their duties, sliced by region.

English	Français
Question Does the intelligence you receive provide adequate insight into the threats and risks you face in the carrying out of your duties?	
Answer Yes Maybe No I don't know	
Atlantic	
HQ	
Ontario	
PNR	

PYR	
Quebe	

Intelligence officers are also required to do interprovincial/international intel work. This includes creating the target/company profiles and initiating investigations. Multiple officers stated that intelligence officers have too few resources to accomplish their tasks and as a result, EOs needs are not met. For example, one intelligence officer received 124 requests for products over a six-month period, including RFIs from international partners such as the US Fish and Wildlife Services. From a basic time-management perspective, this is not something that one officer can accomplish.

Problematically, EB does not always demonstrate a comprehensive understanding of the intelligence process or the capabilities of an intelligence officer. One officer noted that, as he/she saw it, there was a damaged view of intelligence in the organization. He/she notes that a previous iteration of intelligence included simply finding ads on Kijiji for exotic creatures and then forwarding them to officers. This involved no analysis for the officers to use and the officer then had to perform the work of the intelligence officer. Other issues that arose in interviews include the lack of an informant policy and an unwillingness of EB to pay informants.

This intelligence cycle is completed with the consumption and use of the intelligence and a feedback of its value to the system. However, front-line officers noted they had a less than satisfactory integration with the end result of the process. Comments raised the following ongoing themes:

- The perception of an overly bureaucratic intelligence process where the IOs are at a great distance from the EOs consuming the intelligence products
- A one-way intelligence process where the IOs do not, or cannot, request more information from EOs
- An unclear reporting structure

There were also concerns expressed about lack of clarity in incident reporting (oral reports to manager, Hazardous Occurrence Incident Reports, NEMISIS/Gavia entry), CPIC access and obstructive restrictions on information use, lack of interagency information sharing, lack of proactive and relevant intelligence distribution, intelligence staffing issues and a dysfunctional process for feeding potentially relevant information 'up the chain' to assist in intelligence and policy development.

This situation results in officers relying on contacts in other enforcement agencies. This is not uncommon but more formal information/intelligence information sharing policies should be in place. Some officers are being sponsored to take police officer intelligence courses for their own work although these do not appear to be in accordance with an overall strategy.

**Deduction 4.5** - Officer feedback suggests the need for an overhaul of the entire intelligence process including: setting clear expectations; determining policies and procedures; implementing adequate training; recruiting and staffing the required positions; and ensuring organizational accountability for the use, production and integration of intelligence into the organization.

**Deduction 4.6** - EB should examine Quebec to determine why officers are satisfied and determine which practices can be expanded across the country.

#### 4.4.2 Intelligence Renewal Project

Some interviewees showed great interest in the Intelligence Review Project (IRP). There is a clear and appropriate intent on the part of the EB to modernize operational investigations capabilities by prioritizing the role of intelligence.

The three main goals for the IRP, as stated by an intelligence officer, are:

- Increased and improved standardization for intelligence products.
  - This includes between the Directorates to ensure that both sides are speaking the same language
- Improved access.
  - This includes access to training, sources, intelligence products from other agencies and other agencies themselves
- Improved buy-in for intelligence products.
  - Improve the quality of intelligence products and the knowledge among officers as to how intelligence products could benefit their mission

The IRP is a response to the call in the 2011 AG Report to develop clear expectations, policies, procedures, training, and accountabilities for the EB intelligence function.

EB has prioritized work in the past two years to improve its intelligence capabilities via the IRP. Despite this effort, EOs demonstrated little knowledge and understanding of the goals for the IRP. Interviewees noted a general lack of awareness of the IRP and how it was not perceived that HQ viewed this as a priority. Respondents were generally unclear as to the status of the IRP and what it is to provide.

Another indication the IRP is not properly understood and is lack of buy-in to the IRP. The IRP Manager visits different regions to train EOs, which creates a surge in interest in intelligence and the IRP. After his departure, individuals note a return to the previous routine. Additionally, IRP benefits are not known consistently throughout the organization. The IRP has rolled out an intelligence data base called EBSS for the intelligence community but EOs are largely unaware of its existence or capabilities. Improvements in intelligence enablers, such as i2 and an improved Request for Information (RFI) process are seen in isolation from the overall IRP and are considered bureaucratic hindrances. Without an improved communications plan and demonstrable leadership, the IRP will not achieve its desired results.

Finally, the authors have the distinct impression that EOs view the IRP project as if it was to deliver a tangible product. In reality, the IRP is a vehicle of organizational change; it offers a new methodology and approach to how the organization will function. This should have an important impact on the EB and how it carries out its mandate.

The research team notes that the IRP is currently and by definition, a project. Because of this, no-one has the authority to implement it; EB employees view it as something additional to the organization, not a crucial element of organizational change. As a result, implementation appears slow and buy-in is not organization wide. The authors, based on their experience, believe that altering the IRP into a program with authority could aid the overall development of the program and would motivate executives. Whole- of-organization buy-in as a programme requires a measure of performance with tangible effects.

Effective implementation of such a program would aid EB's transformation into an intelligence-led organization.

#### 4.4.3 Use of intelligence assessment in the investigation process (CPIC and NEMISIS/Gavia) *EO intelligence assessment tools are not widely and effectively used throughout the organization.*

##### 4.4.3.1 Canadian Police Information Centre (CPIC)

*CPIC does not always meet the needs of the officers.*

*EOs do not all have the training and knowledge to properly incorporate CPIC into their intelligence assessments.*

CPIC is critical for any law-enforcement officer's preparation for an intervention. CPIC results provide the first essential piece of information about the regulatee required to build a preliminary risk assessment. This is a crucial step before an intervention occurs. During the research process, the research team had the distinct impression this was not the case. Many officers often access CPIC information while en route to the intervention. Furthermore, a clear majority use a 3<sup>rd</sup> party source outside of EB, often based on semi- or quasi-formal connections, for background information.

EOs stated EB is a second tiered agency which for privacy and security reasons limits the access EOs can receive from CPIC. As a result, the information that EB EOs receive is limited and does not always meet their needs. Multiple officers stated they will rely on informal connections with partner agencies to obtain the information they require via informal connections and local MOUs. Using informal connections is not a problem, and it is common in law enforcement. However, their use underscores that EOs need to ensure they have access to tools to ensure their safety. In addition, officers have limited access to CPIC while out of the office; EOs stated their agreement to access the service does not allow them mobile access, forcing them to call a number to obtain information. This is not an ideal situation as the communications capabilities within EB are limited. This is compounded by having no push-to-talk communication system available for the majority of officers.

Multiple officers also stated they had problems accessing CPIC. Several noted they did not have access to CPIC; although one officer stated that it was his/her own lack of attention to the problem. However, this demonstrates that not all officers see the value in CPIC for their work.

Multiple officers noted the challenges they had with accessing and using CPIC. It requires multiple steps which makes accessing the system very onerous and complicated. EED officers in particular noted that because they rarely use CPIC, they are not confident in receiving and interpreting the results. One officer received training for CPIC use, however, he/she is not comfortable reading the results. He/she doesn't have confidence in his/her understanding of the data. Instead, the officer calls partner agencies.

While the officers may receive training but without practice their ability to access CPIC deteriorates.

Multiple officers placed a heavy emphasis on using CPIC while approaching a call or when a car was pulled over and this made the inability to access CPIC on the road a major critique. The research team notes the ability to access vehicle related information is a valued function of CPIC. Since study results suggested that EOs do not consistently use CPIC to prepare for an intervention it suggests a gap in the training process.

***Deduction 4.7 - CPIC should be prioritized within the intelligence branch where possible to ensure proper use, incorporation, and analysis of data.***

***Deduction 4.8 - CPIC's use in the preparation of a case can support a turn towards an intelligence-led organization.***

***4.4.3.2 Gavia centralized Information Management (IM) System***

*Gavia does not currently meet the needs of EOs from an officer-safety perspective.*

*EB's culture of non-documentation limits the use of a dedicated information-management system.*

EB recently implemented its centralized Information Management (IM) System Gavia. Gavia's primary purpose, as explained to the research team, is to document records of enforcement (potential incidents that fall within EB's mandate). Officer safety information was included in the system, with the intent of providing insight into previous non-compliance issues or past officer safety concerns.

From an officer-safety perspective, EOs largely did not feel that Gavia provided the insight they required to properly assess the situation; officers felt that they did not have enough capability to differentiate between a major and minor incident. Significantly, Gavia does not allow officers to access reports, but instead points the requesting officer to other officers who will provide a copy of the report. This means potentially relevant information is not readily available to them.

Officers expressed discomfort when discussing their own ability to use Gavia. EO training on Gavia had suffered skill fade before the Gavia start date. Many EOs said they had not yet used it and hoped that others work out the bugs before they take the time to learn. Other officers noted stability issues, which caused a decrease in officer use.

The IM initiative challenges are exasperated by the fact that EB has a culture of non-documentation. Instead of filling out reports, which can be referenced in Gavia, for tracking purposes, most officers reported notifying superiors orally or via email. Many officers stated that they had not filed any reports and for others there is a stigma associated with submitting a use of force report. Moreover, EB was not able to provide logs of reports for review in this process, all signs of an organization which does not document properly.

Without reviewing the officer-submitted reports, the research team notes they were hand-written. While they could be digitized, the lack of incident logs left the research team with the impression the reports are not digitized and incorporated into a larger, searchable database.

Overall, these are important considerations, however, it should also be noted that Gavia is a new platform, rolled out on February 1st.

***Deduction 4.9 - Address issues of non-documentation. To ensure EOs are better aware of risks, the Branch may wish to develop and implement a new national standardized procedure for officers to report hazardous occurrences for entry into an accessible database such as Gavia. Improved access to higher quality data will encourage EO use of Gavia and CPIC in advance of in-field operational work.***

***Deduction 4.10 - Encourage and improve EO capacity to search within EB documentation to support officer safety and threat assessments.***

***Deduction 4.11 - EOs do not see how increasing documentation of safety incidents can build up an EB knowledge base on officer safety. This is the responsibility of management to address, this is possible via a dedicated strategic communications program.***



#### 4.4.4 Social media for investigative and intelligence purposes

*EOs use personal accounts to research clients for ongoing cases.*

While conducting interviews, the research team became aware of the use of social media to provide insight into ongoing investigations as well as provide useful and actionable intelligence for field officers. The study did not plan to examine the use of social media for both intelligence and investigative purposes, but the issue arose during several of the interviews.

Several officers noted they were unable to access social-networking platforms on the work internet connection. However, multiple officers also noted they use social-media to inform their investigations or overall work. This leads the author to suspect that officers were using personal accounts, and mobile devices to conduct research. One officer confirmed this to be the case by stating that he/she used personal accounts to research individuals and acquire information.

Although the extent of use is not clear, the author expects this to be common, if not widespread within EB.<sup>10</sup> This is extremely concerning for officer safety; the use of personal accounts increases the likelihood a suspect identifies the personal account, and therefore, the identity of the investigating officer.

The suspected widespread use of personal accounts is poor practice for the following reasons:

- This inhibits officer effectiveness as mobile platforms are not as information-rich as desktops
- This does not allow for any sort of chain of custody, evidence preservation or movement tracking to save for a later point.

It is understood that in today's world of law enforcement, officers often rely upon social media to support the creation of intelligence products and investigative folders.

***Deduction 4.12 - Better training programs for officers and intelligence analysts can increase the capacity of the EB to rely on social media as a source for information and evidence while also reducing officer risk exposure.***

#### 4.4.5 Exchange of information and intelligence with other enforcement agencies

Another aspect of the Intelligence Review Project that has not been communicated to the EOs are the efforts that have been done to develop legislation and MOUs with partnered agencies. These could also facilitate EB officers in obtaining additional access to information on regulatees.

#### 4.4.6 Intelligence-led agency

The authors are cognizant that EB is not a police service but does aspire to become an intelligence-led organization. Given the law enforcement aspect of the EB, it would make sense that they adopt intelligence-led policing models. Intelligence-led policing (ILP) has its origins in improvements in information technology, pressure for greater managerial professionalization in policing, the growth of serious and organized crime, and the demand gap – the disparity between modest increases in numbers of police and the far greater demands for police service.

“Intelligence-led policing is a business model and managerial philosophy where data analysis and crime intelligence are pivotal to an objective, decision-making framework

---

<sup>10</sup> While not confirmed, there was nothing to suggest that officers used anything other than personal devices and personal accounts at any point during any of the interviews. This is not uncommon within law-enforcement agencies, although it is extremely poor practice.

that facilitates crime and problem reduction, disruption and prevention through both strategic management and effective enforcement strategies that target prolific and serious offenders.” (Ratcliffe, 2008)

During the interviews with senior leadership, it is clear that the EB seeks to be an intelligence-led agency. The IRP is a step in that direction. Furthermore, given the fact that the EB has limited resources, it should envisage deliberate operations as the norm with routine operations as the exception.

The key characteristic of intelligence-led policing is the utilization of intelligence capabilities to improve the operational efficiency of the organization. This approach would have multiple positive benefits spread across the organization, such as:

- An improved understanding of the threats officers faced in their work
- Officers devoting more time to high-value targets
- An increased proactive approach towards policing and problem solving
- Greater focus in the organizational direction

During the research process, the research team identified several key areas where operations could be improved by becoming an intelligence-led organization.

Several officers clearly laid out a supporting argument for developing the capabilities of an intelligence-led police organization.

*“If we want to go after people who are polluting and know they’re polluting, changes should come. For example, we know sewage companies just dump loads illegally, but we don’t have the resources to begin those investigations.”*

Moreover, officers also implicitly recognize the dangers that reactive situations entail:

*“Duty calls, which are becoming more common, carry an increased risk. You’re walking into an unknown situation where, especially in cabins, people are armed. On boats, it’s the same issue, people have arms, or at least implements, and there is nowhere for the officer to leave. These create odd-ball situations which are the riskiest because they are so uncertain.”*

As was illustrated above, the EB should review the percentage of its operations that are proactive and deliberate. Over time, they should reach the IRP goal of a 70% proactive and deliberate approach to operations. This would be a significant step toward becoming an Intelligence Led Organization.<sup>11</sup>

There is an abundance of information and literature on ILP but it is clear that the entire leadership team has to be committed and some form of centralized control is required to ensure the use of resources are prioritized. The following texts outline the criteria for a successful implementation of ILP:

*The key elements of ILP include executive commitment and involvement; collaboration and coordination throughout all levels of the agency; tasking and coordination;*

---

<sup>11</sup> During discussions with EB, it was noted that many of EB’s biggest projects were reactive in nature, such as the Lac-Mégantic disaster. The research team notes that its impression of reactive missions from the interviews were undirected actions with little oversight and use of intelligence rather than an organized reaction to a disaster.

*collection, planning and operation; analytic capabilities; awareness, education and training; end-user feed-back; and reassessment of the process. Overarching all of these factors are effective information sharing processes. Understanding each of these elements provides the planning, organizational and administrative steps necessary to implement ILP.*

*At its core, ILP helps leaders make informed decisions to address agency priorities. These priorities can include issues such as crime prevention, crime reduction, case management, resource allocation, case clearance, anticipation of future threats, or crime problems. This process provides guidance and support to the agency leader, regardless of the type of priority established. (U.S. Department of Justice, 2009)*

#### 4.4.7 Thematic Deductions for Intelligence

**Deduction 4.13** – *The Branch may wish to turn its Intelligence Renewal Project into a program with a strategic communications plan to be provided to all EOs and followed up by in-field briefings by HQ and local intelligence personnel.*

**Deduction 4.14** – *Establishing a position of Senior Intelligence Director (SID) reporting to the CEO would provide a single focal point for intelligence (INT) within EB. A SID working with the Operations Director, exercising functional authority over all intelligence staff would be an important step towards becoming an intelligence-led organization.*

**Deduction 4.15** - *The establishment of an INT Coord manager to deal with inter-regional and inter-directorate issues, performance measurement and quality control coordinating through the National Intelligence Manager Conference Call. The INT manager would be responsible to strategic INT for both EED and WED at HQ and outreach with other GoC Intelligence organizations.*

**Deduction 4.16** - *The Branch does not have appropriately trained and skilled persons active in those positions at both an analytical and managerial level.*

**Deduction 4.17** - *Hiring and training of Intelligence analysts and officers does not appear to be a priority for EB.*

**Deduction 4.18** - *INT analysts and officers do not have any specific mandatory intelligence training.*

**Deduction 4.19** - *Gavia's roll out does not seem to be achieving many positive results and the EOs lack training on it.*

**Deduction 4.20** - *EB's internal reporting and information-sharing procedures do not appear to promote field-officer input of information, requests for information, or ensure distribution of national Intelligence briefs to EED and WED officers and managers.*

**Deduction 4.21** - *EB does not appear to have the appropriate designation (level of access) to CPIC. Giving all EOs CPIC access and ensuring its use is crucial to ensuring advance risk awareness.*

**Deduction 4.22** - *EB officers, both EOs and intelligence officers do not have full statutory authorization to share and receive law-enforcement related information from other federal and local law-enforcement agencies as well as international agencies with whom they work.<sup>12</sup>*

---

<sup>12</sup> This could occur via enacting amendments to the Environment Canada Act or the mandate legislation such as exists under s. 5 and 13 of the CBSA Act, section 107(3)-(6) of the Customs Act, as well as s. 5 of the Disclosure of

**Deduction 4.2ti** – *EB HQ and regional officers do not seem to have awareness of, and access to, crucial information-sharing tools that could act as force multipliers in their work. Examples of this include relevant interagency operational resources, such as the Marine Security Operations Centres (MSOC), or digital identity verification cyber security technology.*

**Deduction 4.24** – *There are no operational policies and training for the use of social media that incorporate both intelligence and investigative purposes.*

## 4.5 Operational Communications

*Current field communications generally meet the needs of officers for routine communications and reporting purposes, but not for emergency communications.*

*Despite investments to improve the communications framework and the importance of reliable communications when conducting operations, there is no operational communications architecture. Training is inadequate for the enforcement officers and there is an extreme lack of confidence in the reliability of their communications suite.*

### 4.5.1 General

This chapter examines operations and operational risk, and field communications falls into this category. This section provides a general overview of the main emergency communications issues within EB. A key pillar for operational success is robust communications to direct and assure command and control throughout any operation. This is an integral part of any Concept of Operations (CONOP) and it is crucial when conducting operations in hazardous environments. An officer should not have to worry if his/her communications system will function properly in an emergency or if a distress call will be acknowledged.

Directive 4-1-8 in the EOM covers the needs of the organization with regards to emergency communications. The policy has two different aspects included within it:

*To ensure that the Branch has adequate systems and standards to provide for routine and emergency communications for officers working in the field*

*EB will train its officers on the use of systems and monitor use to ensure compliance with this policy.*

This consists of three main components in summary:

*To ensure that EB has adequate systems and standards to provide for routine and emergency communications for officers working in the field.*

*Field communications systems options and national standards to guide regional offices in identifying and implementing adequate regional systems and procedures for field communications.*

*New standards and protocols to provide enforcement officers with proper and dependable communication options to assist officers to deal effectively and safely when performing law enforcement activities and emergency situations.*

Regarding the specific policy, EB flagged this as a 'high' issue in the 2016 EOM. Officers noted EB targeted the policy and its implementation for improvement in the past. However, satisfactory actions had not brought operational realities closer to policy goals regarding communications.

While not specifically included in the survey, officers generally gave the impression that EB effectively provided for routine communications in controlled environments. Respondents were extremely clear that they were hoping the issue of emergency communications would be addressed. It was not uncommon to hear that officers were 'on their own' in the case of an emergency event due to EB's lack of efficient emergency communications. However, interviews clearly showed that EB does not provide adequate means for emergency communications. Core issues that arose in an ongoing basis include:

- Requirement to use a 10-digit login code on emergency contact equipment
- No reliable communications that are waterproof
- No push-to-talk emergency communications
- The main emergency communications tool, a BlackBerry, is not accessible while wearing gloves and many officers require glasses before using it.

EB should note that inadequacy of emergency communications is extremely common and a primary source of officer and manager dissatisfaction. However, most EOs did note the extremely difficult situation that EB was in with regards to officer communication; operating in extremely remote areas across a broad country with a small organization creates basic logistical challenges which require an investment of expertise and funds.

#### 4.5.2 Perceived disconnect between operational and managerial levels with regards to communications capabilities

*Officer perception was that HQ did not adequately understand the needs on the ground.*

EOs have a wide variety of different technologies available to communicate in a wide variety of situations. EOs cannot use some of these, and they are not all connected to working networks. However, a member of EB HQ stated that EOs have "what they need to conduct their operations, it's their processes that may need to be modified." This demonstrates a disconnect between EOs and the HQ; the two entities view the problem as intrinsically different. Field officers view insufficient capabilities as the problem, whereas HQ feels that it is only the processes that need to be addressed.

The research team notes there is an element of truth to both sides; the technical capabilities do not meet the needs of EOs in all situations, whereas the creation and implementation of processes are flawed.

#### 4.5.3 Regional Disparity

*Officers stated a wide variety of different systems in place across the country.*

The existence and performance of radio systems varies across the country. Capabilities and training are not equal in all locations, suggesting that different locations have different risk exposure. EOs frequently raised concerns regarding the failure of the Branch to ensure that all officers are part of a secure communications systems of the kinds in Alberta, B.C. and Ontario.

*Some locations have radios, others don't. Saskatchewan has radios, linked with provincial services, but Manitoba does not.*

In PYR, EOs use a locally purchased, "in-reach" system which offers a text function that the SPOT does not. Regional SOPs regarding communications also appear to differ from region to region. One officer brought up FleetNet, a mobile service that serves as a radio. However, this system connects to a car battery to function, causing the battery to drain when officers are out of the car using FleetNet.

The primary question for EB is whether or not as an organization it is willing to accept the use of locally acquired communications systems, especially if no centrally-run needs analysis is conducted. Local officers identified appropriate systems, however, there could also be other solutions available which could be centrally implemented and better address officer safety. In addition, an incident that occurs where EOs were using a communications system that failed and was not EB approved carries significant liability.

***Deduction 4.25 - Different standards create disparities in officer safety. EB would benefit from a better understanding of organizational best practices and their application across the country.***

#### 4.5.4 Blackberry

*Blackberry phones (BB) serve for routine communication but are not appropriate for emergency communications.*

A primary source of dissatisfaction in interviews for officers was the BB. Officers were clearly concerned that their main system for two-way emergency communications is an office issued BB. Officers were largely in agreement that this was the primary equipment EB provided for emergency use.

The most common issue raised with the BB is its ability to function in an emergency setting. Some of the reasons include:

- The requirement for a 10-digit password input in emergency situations
- Battery life in cold or inhospitable environments
- BB is not waterproof
- Access to the device when wearing gloves (a significant problem in extremely cold or wet environments)
- Using the device requires glasses or another reading aid
- Lack of cell coverage in areas where EB routinely works

Because of these limitations, the BB appears to require the conclusion of an emergency situation before it can be used. It is least reliable when it is needed most.

Officers expressed extreme disappointment with the requirement to enter a 10-digit code to access the device. As a safety issue, this is clearly a widely-known issue; one officer recounted a training session that involved the officer receiving grievous bodily harm and then being instructed to unlock his/her phone. Other officers noted that it requires two hands to input a password, meaning that an officer would have to stop dealing with the emergency to alert team members.

While recognizing the challenges that EB has in terms of Canada's size and spread of population, reviewing the accessibility and use of BB for emergency response is an extremely important task.

***Deduction 4.26 - Addressing the shortfalls of BB use in emergency situations is a priority for EB.***

#### 4.5.5 Satellite Phone

*Satellite phone usage throughout EB is sporadic for three core reasons: existence of dead spots, lack of proficiency and limited quantities of satellite phones.*

EOs also have a satellite (SAT) phone for communication. The research team learned that although there are SAT phones available in the regions, their use is sporadic. Officers noted that they at times ignored

the policy directing them to carry this equipment due to its bulkiness and lack of reliability. In cold-weather environments, the SAT phone periodically freezes, creating additional usage problems.

The SAT phone is not considered part of EO equipment and its ongoing use is not standard practice.

One officer also stated that the SAT phones were not always intuitive in their use. A hiccup is always constantly having to 'relearn the number' due to rarity of use and using multiple SAT phones. Another officer noted that SAT phone dead zones existed throughout the country.

***Deduction 4.27 - Ensure ongoing SAT phone training for officers whose activities require it.***

***Deduction 4.28 - Identify and map SAT phone dead zones where possible to better understand implications for officer safety.***

#### 4.5.6 Radio

*Radio training is not operational within the organization.*

Push-to-talk radio is an excellent way to ensure ongoing communication and ensure officers are connected via two-way communications. The author has extensive experience using radios on operations and knows of no better means for assuring command and control and situational awareness. In that light, this is an opportunity for EB to address some of its emergency-communications shortcomings.

The research team identified little or no radio use training for EOs. Basic radio and voice procedures are essential in the case of emergency communications. With no radio training, EB cannot be sure that officers know how to communicate properly via radio. This exposes EB to significant risk hazard.

Secondly, not all EOs have access to radios. In fact, in one region the new radios have not been distributed. Some EOs noted they had access to radios, but they were not networked or there was no one dedicated to answering them.

One EO noted that he/she has one in his/her vehicle but no idea how it works, another said that each time he/she uses it he/she goes by trial and error. Even when an officer possesses a radio, some radios are not appropriate for EB use.

Some officers who do use radios noted that the quality of the radio hindered the ability of the EO to do her job. One officer noted that the range is so limited that they are almost line of sight only and therefore often do not work. The research team notes this could have two explanations; the radios are not the best radios for EB use, or the lack of radio training resulted in inefficient and incomplete use.

A radio also requires a dispatch or operations centre for EB operations. The research team did not identify a dedicated operations and dispatch centre for EB. Interviewees from one region have speakers in their offices but no dedicated response. One interviewee recounted an experience of attempting to radio his superior during an operation, only to eventually reach an administrative assistant with no knowledge of the operation, who then stated that she was the sole person at that location. One officer noted that a small agency with multiple demands on individual's needs could mean that the person who should be monitoring the radio could be pulled away to perform other administrative tasks.

To address the lack of a dispatch centre, EB "piggy backs" off other dispatch centres such as Jasper Dispatch and the DFO dispatch system. This is a possible local solution to the problem, but the research team was not able to determine the efficacy of this solution. For example, is there an assurance that EOs

are placed in a "situational awareness" chart? If the officer calls in distress, will first responders be dispatched? The research team suggests that these questions be answered.

In military doctrine around equipment, a process known as TTP, Tactics Techniques and Procedures, is employed for the introduction and use of any piece of equipment. The introduction of a similar process for EB equipment would bring up all the issues related to how, in the case of radios, they would be used by the EO and more critically, the supporting EB resources and resolve them in a way helpful to the entire Branch. Any questions on deficiencies that would negatively impact the radio fulfilling its purpose would be addressed before the radio was deployed to EOs.

***Deduction 4.29 - Radios could be of great value to support EOs in their activities, but there are practical and logistical challenges that stand in the way of implementation.***

#### 4.5.7 SPOT

*EB does not effectively use SPOT and EOs have low confidence in the system.*

The main source of Officer situational awareness for Operations Managers is the SPOT system. A SPOT is a GPS locator that indicates where the officer is. It is self-activated and the officer "taps" it when starting and operation and "taps" it when finished. While its constantly reporting its location, the SPOT device can also send Emergency signals. In discussion with HQ and Operations staff there is a feeling that this system is excellent but the interviews have shown a different point of view.

SPOT offers the operations manager an invaluable tool for situational awareness. The author, who has extensive experience in directing operations, notes that SPOT is essential and serves as a valuable place in emergency-communications capabilities, but must be accompanied by other means of communication. Relying solely on SPOT, HQ does not have the ability to support and run command and control of the operation. The officer also is unable to communicate challenges to HQ and better understand a situation as it develops.

On a technical level, in some remote regions, satellite coverage does not pick up the SPOT. Officers in other isolated regions, indicated this in the interviews. The EB should confirm and map the blackout areas to better understand the geographic limitations to SPOT capabilities.

Importantly, SPOT is not a two-way communications device as it only sends a signal as to where the officer is. This creates a significant issue for the individual monitoring SPOT as it does not indicate the level of assistance the EO requires if they trigger an emergency signal. Because it does not use voice transmission, the message recipient cannot differentiate between a call of immediate distress and minor vehicle troubles.

Another officer noted that the very system of SPOT was largely useful only after the event occurred. An officer could not use SPOT for anything that would help the EO in the moment, but just provides the knowledge that if something happened that at some point help would come. Multiple officers noted that it would only be useful to find their bodies after the end of the incident.

As a result of some of the perceived shortcomings, some officers stated that they do not use it.

***Deduction 4.30 - SPOT does not satisfy the EO requirement as an effective emergency-communications system.***

***Deduction 4.31 - Any revisions to SPOT should also be accompanied by internal communications and training updates to ensure it is used as EB envisions.***



#### 4.5.8 Other communications systems

*Regional offices have a variety of systems to address the challenge of field communications.*

EB regional offices have a variety of different systems they use to patch the specific problem of emergency communications. Some regions use "in-reach" which has a two-way text but is, in the words of one officer, "useless" in an emergency. Another uses ACR which is similar to SPOT in that it is a beacon, but requires a three-step process to engage. One officer stated that a three-step process is not possible to complete in an emergency.

The research team did not review all the different communications systems, but rather the primary systems in EB use. The fact that multiple offices are using different platforms is indicative of a larger problem.

***Deduction 4.32*** - Multiple offices are using different systems with important shortcomings indicates the flawed state of EB emergency communications.

#### 4.5.9 Deductions for internal communications

The effective sharing of information amongst the RDs, Operations Managers, Intel team and the EOs on the ground through improved Information Management practices for Gavia and an enhanced access to CPIC data base coupled with improvements and/or better use of available communications means would ensure an "all-informed" net.

***Deduction 4.33*** - Before procuring any more means of communication, the EB should conduct an immediate review of EB officers' field communications systems to determine how they are being used, then modify processes to maximize their efficiency and implement training on each system's use.

***Deduction 4.34*** - Explore the development of an EB dispatch capability for each region for SA and directing operations. In the interim, wherever possible, take steps to ensure that officers in the Regions are part of a secure provincial law enforcement communications system and explore options to develop more formal relationships with partnering agencies.

***Deduction 4.35*** - The use of the BB as the main means of communications should be reviewed. If impossible to change, at least identify where coverage is weak or does not exist and ensure that a reliable means of emergency communication be provided.

#### 4.6 Training

*Use-of-force investigations always revisit the EO's training, re-certifications and qualifications. EB discrepancies in standards, training delivery, training and re-certifications means that EB has a major operational and strategic risk exposure should anything go wrong.*

Currently, EB utilizes two courses for EED and WED, offered in both French and English for a total of eight training courses. The result is a slow and inefficient system that requires significant resources to run. The aim is to review the whole process to determine if there are efficiencies to be found throughout the process, from recruitment through to the conclusion of training.

The authors are aware of an EB CEO initiative to review the current basic training regime, understand the differences in the courses and determine where efficiencies can be found. The CEO-directed training-design study is focused on *how* training is delivered, while this report focuses on *what* training EOs receive and the factors that control their ability to be effective and professional EOs.

During the interviews, the research team ascertained that other than basic and recertification training, EB has no formal continuous training plan for EOs. The RDs and officers decide on their own what to focus on and take the courses as they see fit. While officers and RDs do have a unique view of their training needs, as the EB evolves it should review this practice and consider implementing a more formal approach to EO professional development.

The research team identified a lack of risk-based vision with regards to the implementation of EB training. In many cases, the training did not match the specific needs of EO officers. To support a better and more targeted training program, EB should:

- Clarify, for all members from frontline officers to HQ, that the fundamental premise of training is to support the implementation of EB mandate,
- Review basic training to ensure that it properly prepares EOs to operate and mitigate the specific risks they encounter in their environment.

Applying a risk-based framework will ensure that training falls within the scope of the EB mandate while also guiding training needs towards the officer's specific requirements.

However, the implementation of training requires additional work from EB. Officers identified inconsistencies and lack of enforced standards within basic training and annual recertification. This results in different standards on operations which increases the operational risks to which EOs are exposed. Further- more, the absence of a top-down, continuous, professional-development program results in resources being used in a non-uniform way across the different regions. An investment in personnel and training resources will support the Branch both in terms of EO safety and operational effectiveness.

This section presents an overview of the training for the EB. This study will cover the officer's point of view and the points raised during the analysis. It reviews basic training, recertification, professional development, specialist training and OHS training.

#### 4.6.1 Basic

##### 4.6.1.1 Review of basic training

*EB would benefit from either a new detailed Learning Needs Analysis (or an update to the existing unimplemented LNA) and a subsequent training needs analysis.*

Basic training is broken down into two core phases. Phase one instructs EOs on the legislation and regulations they will oversee. This phase must be separated by Directive as WED and EED perform significantly different tasks. Phase two trains officers on the use of force but does not include the use of a sidearm. WED officers undergo a third phase that consists of weapons training for their sidearm.

In general, many officers said they have no major issues with the basic legislative and regulations training. However, some officers mentioned it is too much content presented too quickly.

With regard to use of force training, EO opinion was not as positive. Officers identified specific challenges within the training spectrum. Some issues were highlighted in the following comments:

- Training often appears sporadic and does not have an easy-to-recognize purpose
- Training is not focused on operational needs
- There is no stress inoculation training to ensure ability to perform under pressure

- Basic EO requirements are not met (ie. Some new recruits do not know how to unload a shotgun)
- Overly focused on what is perceived to be the textbook requirements rather than operational needs

Some EED Officers noted they do not have the necessary tools during their training and the result is that they require additional training after completing basic training. Some tools used in basic training are older and different from the tools EB uses in the field. The research team cannot determine how much of an effect this has upon training but notes this is a concern for EB to review.

One of the main themes that came out of requests for additional training was a desire for more verbal de-escalation training. The research did not aim to quantify the response, but an overwhelming majority of EOs identified a need for more *Verbal Judo* training.

Moreover, some officers commented that training was not always relevant to their specific needs. The use-of-force portions of basic training has also received criticism regarding its techniques and processes. Originally based on RCMP standards, the course was delivered by the RCMP. However, the RCMP no longer provides the course and EB has moved to a contractor model which provides varying results.

Some officers stated they had never used the vast majority of training EB provided them because it was not operationally focused on their specific requirements.

Meanwhile, other EOs state they do not receive enough PDT on their basic training and do not feel confident enough to use it in the field. A review of the standard expected by EOs, management and HQ would help to address this perception. Given that officers state a desire for both more and less PDT training, this should be reviewed in light of the findings of the management section, in particular:

- Training must be delivered to meet the clearly-defined and accepted mandate of EB
- Training must be delivered to meet and fulfill EB's definition of enforcement.

This can be conducted under the auspices of a risk-based approach to training.

EB provided a Learning Needs Analysis (LNA) document entitled "Enforcement Branch Designation Program Learning Needs Analysis and Design Report July 2013". The LNA addresses many of the shortcomings identified in this study and appears to be a comprehensive overview of an EO's training needs. However, the research team does not believe all the prescribed learning needs would be achievable before graduation, but also notes that they are achievable if spread out over the first few years of employment. The research team notes this study was not actioned and is aware of no current plans to do so. It is suggested that this LNA be rejuvenated, updated and applied.

#### *4.6.1.2 Lack of standardized training*

*EB's lack of standardized training, or the enforcement of training standards, creates significant risk exposure for EOs and the organization.*

The interviews revealed that basic training is not provided at an adequate and repeatable level in all training courses. The research team views this as a significant weakness in the training process as not all officers are certified to have completed the training process to the same level.

As far as the research team can ascertain, basic training includes the use of as many as 30 EOs, considered SMEs, to provide lectures as a portion of their duties. This has two implications for EB:

- It is an inefficient and disruptive use of resources to transfer 10-15% of available capacity to train new recruits,
- The available EOs are not always the most experienced and prepared for the project. At times, they are not dedicated to the task or have formal training as instructors.

The research team has the distinct impression that instructors were at times selected via a question of 'who's available'. The research team also has the distinct impression, based on discussions, that the trainers are often ill prepared and do not see, nor understand the larger training picture. This leads them to, at times, disregard the lesson plan given to them and to teach how they see fit. As a result, across all types of training, EB does not appear to have a set standard for officers to achieve, nor a concrete set of standards to which trainers should teach. This is significant risk exposure for EB, as EOs could enter the field without proper training. Should an EO act inappropriately in the field due to poor or incomplete training, EB could be held liable for his or her actions.

The research team identified several staff positions lacking a professional that could combat some of these deficiencies. In many organizations where training is imperative, the following positions are often staffed to ensure a high standard of training is provided:

- Chief Instructor
  - The Chief Instructor has the day-to-day responsibility for the standards of training and equipment.
- Chief Standards Officer
  - The Chief Standards Officers ensures that the organization is delivering the courses to an appropriate standard.

In any future EB transformation, consideration should be taken in creating these two positions.

**Deduction 4.36** - *The development of an instructor cadre is crucial to the ongoing development and professionalization of EB.*

#### 4.6.1.3 2011 Auditor General report

The 2011 Auditor General report identified training as an area for improvement within EB. The report stated:

*According to the Directorate, ti0 of the 45 CEPA regulations with an enforcement component require specialized training because of their complexity. There was no training course in place for 16 of these regulations. Five that require a laboratory test to enforce the regulation did not have one available. The Department needs to lay the foundation for effective enforcement by ensuring these basic requirements are in place before new regulations are brought into force. (Office of the Auditor General, 1999)*

**Action on training.** *As discussed in paragraph ti.41, the lack of regulation-specific training for enforcement officers remains a major impediment to enforcing many CEPA regulations.*

**Recommendation.** *Environment Canada should ensure that regulations under the Canadian Environmental Protection Act, 1999 are written in a way that facilitates enforcement. Before*

*regulations are brought into force, the Department should ensure that the appropriate training, analytical methods, and laboratory tests required to enforce the regulations are in place.*

The research team learned that two points had not yet been actioned five years after the report, despite the Department's agreement to close the gap. Further findings suggested EB has prioritized designation training versus regulatory and legislative training. This means that EED EOs are not fully qualified to conduct the EB Mission because they have not been fully trained on regulation-specific training.

**Deduction 4.37** - *EB's basic training still does not provide training on all relevant laws and regulations that EOs are expected to enforce upon graduation, nor is there a formal continuous training regime in mandate legislation or EB policy.*

#### 4.6.2 Recertification

*Absence of enforced training standard across EB is a source of operational risk and EO frustration and concern.*

The subject of annual recertification generated significant discussion from EOs. EOs were extremely dissatisfied with the ad-hoc nature of this annual exercise. Training material and quality both appear to vary depending on region. Anecdotally, officers seemed to identify ATL and PNR as having the best training available, but even in those regions, EOs raised issues with lack of enforced standards. Feedback that frequently appeared included:

- Inequalities in all forms of training across both Directorates
- Training is the same on paper, but not in practice. The quality of training partners across the country is inconsistent
- There is a lack of training on perishable skills, in particular, sidearm use.
- Trainers pass EOs who had failed operational scenarios
- Officers felt uncomfortable with the thought of having to use the training they received

Similar to basic training, the lack of a Chief Instructor and Chief Standards Officer, allows a lack of standards and the enforcement of those standards to persist. This exposes EB to:

- Officers unable to effectively use force when required which increases the risk for that officer as well as his or her partners.
- A work place violence loss exposure between employees.

Notably, a lack of standards causes EOs and RDs to clash regarding how training should be done. For example,

*"Manager does not support the use of scenario-based training, which is very important. As a result, officers have modified training to ensure that it met their needs when the manager was not present."*

In this case, EOs may or may not have received proper training. Neither the research team nor EB can definitively state who acted properly in this situation, however this is a significant source of risk to EB.

This lack of consistent annual training leads to EO fears that in the field, their partners will not be able to effectively use force as required.

#### 4.6.3 Continuous Training

*Any professional organization must ensure that their employees are able to meet their full potential and are always improving on their chosen profession.*

The operational environment within which EB exercises its mandate is constantly evolving. Officers receive basic training and annual recertification, but the research team found no evidence of standardized continuous training across all regions. EOs, in discussion with RDs and operations managers, develop their own learning plans. The learning plans do not appear connected to a top-down learning or professional-development plan. The 1998 Report of the Parliamentary Standing Committee on Environment and Sustainable Development noted this in its recommendations:

**Recommendation No. 15** *The Committee recommends that the Minister of the Environment provide the enforcement personnel with comprehensive training programs on a continuing basis to assist them in carrying out their duties. (Parliamentary Standing Committee on Environment and Sustainable Growth, 1998)*

Continuous training is required to address ongoing concerns that are beyond the scope of the annual recertification. For example, if EOs require thematic training packages over the course of several years on OHS related risks they would be incorporated into a continuous-training plan. From the officer perspective, EOs generally noted that additional training is always beneficial, and that training was provided when requested. From a strategic point of view, however, those needs do not appear to be consistently and properly assessed and logged so they can be used to fully understand the organization's needs. These could be addressed through the incorporation of a risk-based training assessment to determine national and regional areas of need. In particular, officers noted two main areas to target for improvement: equipment training and training to deal with the evolving client base.

Officers noted a wide array of equipment training that would help them. Additional applicable training courses that officers mentioned include, but are not limited to:

- Driver training on EB vehicles (especially for officers who arrive in a new location where the officer is unfamiliar with the local equipment, such as skidoos, boats, helicopters, etc.),
- training on rarely-used EB equipment,
- communications,
- vehicle stop training,
- extracting person from a vehicle, and
- sour gas and breathing training.

Attention should be paid to officers who often arrive at new posts without location-specific training on use of local equipment. This has significant risk exposure to EOs and EB; an EB unable to operate a winch on a vehicle if stuck in an isolated region with no communications is an officer safety issue as well as exposure for EB reputation.

EOs also requested training to support client interactions in a multitude of environments. A vast majority of EOs noted a desire for more verbal de-escalation training, specifically *Verbal Judo*. This is mentioned specifically to note how common this request was. Specific requests included:

- Additional drug awareness training,

- Training to support and interact with individuals with suspected mental health issues,
- Handling hazardous materials (specifically fentanyl),
- Hunting trophy inspection course,
- Opening dangerous packages,
- Reptile-handling courses, and
- Updated organized crime knowledge.

These should not be directed at all EOs, but rather directed as part of an overarching strategic approach to training in response to a risk-based training needs analysis. At the very least, specific training should be delivered on a post-by-post basis, as determined by EB's strategic vision, to meet local and regional needs. The 2013 LNA should be reviewed to support the ongoing development of continuous training.

Finally, some officers raised the issue of officer self-help. The work of officers is stressful; they are in a law-enforcement role and their day-to-day work is challenging. Several noted the omission of stress management in their training package. They feel it is required to ensure that officers can recognize dips in their own mental health, and that of their coworkers.

Should EB consider continuous training to be an ongoing priority, one way to address it could be through the establishment of a mentor program. This would pair a new EO with a more experienced EO or manager to support officer development. The research team found evidence of informal mentoring programs, but the EB could benefit from the establishment of a formal program with concrete targets.

#### 4.6.4 Specialized Training

As a law-enforcement agency, EB performs specialized tasks with characteristics unique to its mandate. These include the following types of missions:

- Undercover,
- Surveillance; and
- Informant management

Running operations that utilize specialized training methods such as these require a commitment of resources, equipment, and personnel. They are complicated and carry a significant level of liability due to the increased exposure of EOs. Moreover, the skills to perform these operations are perishable and fade without ongoing use.

Given EB's challenges in managing basic training, recertification and continuous training, the authors have significant concerns regarding how officers will be chosen, trained, and supported in the conduct of operations. Some officer comments, handled confidentially to protect anonymity of those providing the comments, suggested that there was a lack of understanding and comprehension of the dangers specific to undercover work. The comment from one officer who noted that "holsters need improvement, especially for undercover ops" should be highly instructive and significant to EB management. Other officers indicated that after receiving training there was an increased desire to use that training; note, this does not mean there was an increased need for undercover work, but rather a *desire to increase the officer's risk exposure*. Other officers felt that only the supporting policy is inadequate, however it is the opinion of the research team this is not the case. This report has identified significant challenges that EB has in the provision of training:

- Varying standards from region to region
- Different interpretations in the application of policy
- Officers altering training standards.

The research team did not see the documentation normally required for the conduct of these higher-risk activities, seeing only a draft surveillance policy and training plan. Moreover, the interviews show EB has challenges with oversight and ongoing intelligence-based direction for deliberate operations. As a result, the research team is concerned that continuing these operations with the current status of intelligence, training, and communications, places EOs in increased danger and EB at heightened risk of liability. The authors recommend EB leadership immediately examine the efficacy and need of these missions and consider a temporary stop until proper officer support can be delivered.

#### 4.6.5 OHS Training

In chapter 5, respondents largely agree that Occupational Health and Safety (OHS) based risks are among the most hazardous, if not the most, hazardous risks they face. EO isolation, in particular on dangerous terrain or water, coupled with poor communications is a major concern for their personal safety. As mentioned above, the development of a risk-based training program that is derived from a central source to ensure that officers have a long-term training plan would support OHS-based training for EB.

#### 4.6.6 Major Deductions for Training Issues

**Deduction 4.ti8** - *The Learning Needs Analysis and Design Report 201ti should be reviewed for its merit and used as by leadership as the first steps in establishing a EBPDS.*

**Deduction 4.ti9** - *The EB needs to conduct a Training Needs Assessment (TNA) to standardize their training and ensure consistency.*

**Deduction 4.40** - *Professional Development (PD) is lacking for each level within the organization and would be used to support succession planning.*

**Deduction 4.41** - *There is no formal succession planning process.*

**Deduction 4.42** - *Course trainers do not always enforce standards for re-certifications and EB accepts the employment of officers in the field that have not met requirements.*

**Deduction 4.4ti** - *There is no designated, dedicated trained instructor cadre. The present process of accepting anyone available, not necessary SMEs, raises EO and EB risk exposure.*

**Deduction 4.44** - *There is no Chief Instructor or Chief Standard's Officer positions identified in EB to support the development and provision of professional training at a designated standard.*

**Deduction 4.45** - *EOs perform special operations that expose them to unreasonably high levels of risk. The research team recommends EB should cease these operations until such time as it can confirm that the proper policies are developed and followed, EO training is developed and meets standards, operational communications are improved, and EOs use a clear operational framework.*

#### 4.7 Officer Safety Equipment



Interviewees were generally satisfied with the equipment provided to EOs and stated few concerns with their specific personal defense equipment. Some officers noted, from their perspective, the quality is not as good as it could be, but there were no major complaints from EOs. The largest section of dissatisfaction was from EED officers who felt the equipment was not complete due, in part, to the lack of a firearm although some other concerns were raised. Sometimes officers noted that upgrades to equipment could also be slow however, this was not a huge concern to officers. From a strategic perspective, two main concerns appeared:

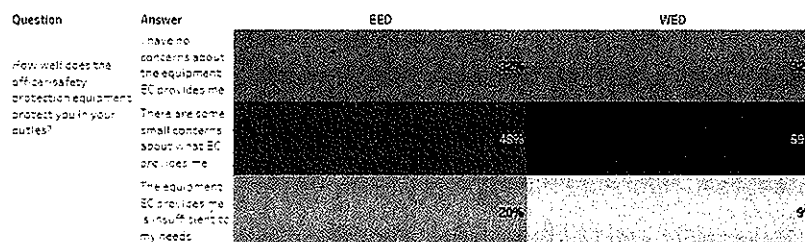


Figure 23 - EO Response to the question of how well officer-safety equipment protects the officers when carrying out his/her duties.

- The equipment was fine, but not complete. Some officers believed that omission of a sidearm for EED, for example, made this question not appropriate.
- The equipment was fine, but officer support negated its capabilities. Without proper communications and the ability to quickly access backup, the equipment could not function effectively.

English	Français
Question How well does the officer-safety protection equipment protect you in your duties?	
Answer I have no about the equipment EC provides me	
There are some small concerns about what EC provides me	
The equipment EC provides me is insufficient to my needs	
EED	
WED	

However, the interviewers did identify several key issues beyond satisfaction with the specific quality of the equipment. Officers flagged specific issues around dress policy, uniforms and EED officers' lack of a sidearm. With regards to equipment quality, the research team is aware of potential deficiencies in the ballistic vests EOs wear. The question of whether or not to equip EOs with on-body or car cameras is flagged and under consideration for EB. Finally, concerns about the procurement process to supply officers with the proper equipment in a timely matter could also be a larger issue for officer safety.

#### 4.7.1 Uniforms

##### 4.7.1.1 Uniform Policy

During the interview process, officers expressed concern and frustration over the perception they are to wear all their equipment all the time. Some tasks such as sticking your head in manholes for samples,

wearing Hazmat garments, being present at civilian reptile shows, visiting corporate HQ, or climbing ladders in factories are not easy or practical to accomplish in full gear. Many officers shared experiences of either being dressed inappropriately for the mission, or instances where their equipment put them at increased risk of harm:

- Lack of access to tools because of uniform requirements in rain
- Wearing combat boots on a boat, increasing officer risk should he/she fall into the water
- Steel-toed boots are not appropriate for the forest
- Inappropriate and of little value in specific situations such as marine areas and mines

Despite the policy, officers stated they remove some of the Personnel Protective Equipment (PPE) when they feel it is appropriate to do so. Members of the research team were also under the impression that more officers were in uniform on the days when they were conducting interviews. While removing equipment is a common-sense solution to the problem, some officers stated that although this was against policy, they were concerned that HQ would likely not support them if something were to go wrong. The officer is therefore, reticent to dress appropriately, as after doing so, he/she will then bear all risk for any outcome.

However, upon visiting HQ, members of the senior team were clear that officers could dress appropriately for each mission. Clearly there is some confusion around the EO dress policy.

The research team acknowledges senior leadership's concerns for officer safety and agrees that wearing PPE equipment is crucial to EO personal protection. However, implementing a risk-based "Dress for the Mission" policy could be established. For deliberate (ie. Intelligence-backed, preplanned missions), the officer could dress appropriately for the job required.<sup>13</sup> EB could require RD or operations manager approval after a risk assessment. The implementation of a "Dress for the Mission" policy would signify a step in the direction of an intelligence-led organization; more missions would require a specific concept of operations and proper intelligence analysis before their launch.

While the research team supports a Dress for the Mission policy, whatever the final decision regarding EB dress, HQ should clearly communicate the policy and ensure EOs are aware of the reasons behind it.

#### *4.7.1.2 EED appearance without a sidearm*

There is a perception, correct or not, within EB that EED officers are at greater risk due to the fact they wear uniforms but do not carry a sidearm. Multiple officers cited that this increases their exposure to acts of random violence, targeted violence, and it places them at greater risk due to negative feelings against their sister directorate. This perception is not held by all but EOs touched on this issue frequently, noting that a lack of a sidearm leads to more people sizing officers up, a lack of a sidearm means that EED officers lose credibility, in rural areas EED equipment is "like bringing a knife to a gun fight", and the lack of a sidearm leads to more disrespect in the face of clients.

EED officers working on aspects of their mandate related to the Fisheries Act expressed significant concern. This is due to the fact that EB clients generally disliked DFO due to their work. EED officers and DFO officers also have similarities in terms of their boats and uniforms.

---

<sup>13</sup> An example could be visiting a mine on a repeat visit. If the officer knew that he or she was going to be climbing up and down ladders and taking samples in a protected environment, there might be no need for a uniform or the officers PPE.

The research team would caution against the argument that having a sidearm would garner more respect from clients. WED officers, who carry a sidearm, reported *higher* levels of verbal abuse as do EED officers. Moreover, de-escalation techniques were the most commonly cited training requirement from officers. EED de-escalation techniques were lauded by JIBC instructors and represent an area of strength. The research team would also like to note that the mindset

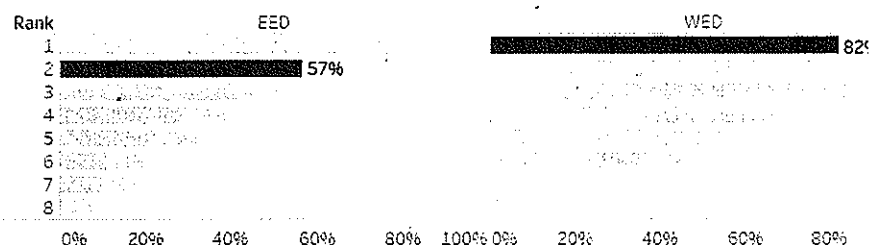


Figure 24 - Respondents who reported receiving verbal threats in the course of their work, broken down by Directorate.

that a sidearm would be the solution to garnering respect from clients could merit a far larger HR, training and cultural problem. If EOs crave a sidearm for increased respect from clients, this is emblematic of the tool being used as a method of intimidation rather than personal protection. It is our opinion that clients who do not have the intention of using a firearm are more, not less likely to be angered by the presence of an armed EO, raising the likelihood of verbal altercations.

English	Français
Rank	
EED	
WED	

#### 4.7.2 Ballistic vests

*Ballistic vests may not meet standards for EO safety due to equipment choice and dress.*

EB officers wear ballistic vests as part off their uniforms for protection. The research team cannot state conclusively whether or not the vests are appropriate or no, but flag several issues that HQ should recognize and address as soon as possible.

Upon examining the vests, members of the team noted that ballistic plates were small hexagonal markers in the middle of chest. This does not protect all of an EO's vitals from frontal assault.

Regarding officer safety, one EO noted that there was a change of vest classification from Level III to Level II in Pacific Region. This has different properties for officer protection and the officer was not clear why a change occurred, and what effect this has on his/her safety.

Some officers noted that ballistic vests are not always sized properly. In order to be effective, the vest must fit the wearer correctly.

Moreover, some officers also noted a fear that wearing a ballistic vest could also escalate a situation due to the presence of protective equipment. Whether an officer wears a ballistic vest or not should be a consideration within a risk assessment before leaving the office.

**Deduction 4.46** - *The ballistic vests do not appear to be standardized across EB and officers are not clear about what level of protection their vest provides.*

**Deduction 4.47** - Some changes occurred with regards to vest standards in at least one region; EB should ensure that all ballistic vests meet minimum requirements for the particular threats EOs face.

#### 4.7.3 Cameras

The survey explored the officer's perception of having either an on-person and or in-vehicle camera. The results were mixed to this idea, although there was strong support among WED EOs. EOs felt the footage would be useful in documenting offences

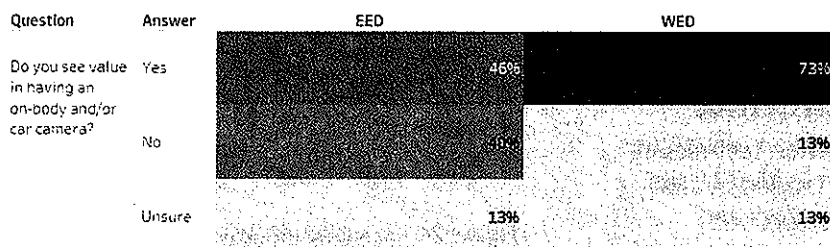


Figure 25 - Officer responses to if they would see value in having an on-body and/or car camera.

and encourage better client compliance while also providing proof of officer behaviour. Predictably, challenges would also arise with the inclusion of a camera: dead batteries, clients less willing to talk on camera, the effectiveness of having a car camera if in the forest away from a vehicle, an increased policy hurdle, and data storage and retention policies. Another officer asked incredulously, "are we to be videotaping inspections now?"

English	Français
Question Do you see value in having an on-body and/or car camera?	
Answer Yes No Unsure	
EED	
WED	

One of the issues that arose was the worry about how this would be treated by EB leadership. One officer noted this would add to the officer's responsibilities and could complicate his/her job. The EO noted that this would cause operational challenges; EOs often work far from base and having a working camera as a requirement could cause significant challenges, especially in harsh weather conditions.

While there could be arguments made for the inclusion of on-body or in-car cameras into the kit of EOs, the research team suggests EB closely examine whether this would be a benefit to the Branch. If EB were to consider implementing this tool, the costs should also be weighed against not only the need of cameras but also the required investments in training, intelligence, communications and organizational development that could better serve to protect all officers in all situations.

#### 4.7.4 Procurement

The scope of this review was not focused on the EB procurement process, however, officers raised issues during the interviews about some dissatisfaction with exchanging equipment that does not fit and getting the proper sizing. This is an officer safety issue, especially if it pertains to the ballistic vests. Several officers noted that EB always seemed to trail other agencies in upgrading their equipment. Common complaints included:

- Logistics are not done by field officers, or former field officers, so the individuals procuring the material do not always understand the requirements
- Local needs are generally quickly met, but when requirements go through HQ, delays occur

The research team heard that at least one EO purchased a ballistic vest independently. This is sign of the breakdown in the procurement process and an area of liability for EB. Newer vests are lighter and better fitting and informed EOs would naturally want the best and most comfortable protection with the least restriction to their movement. If the officer is wearing equipment that he/she purchased independently and it fails, EB could face significant penalties.

One officer noted that the organization could benefit from a dedicated quartermaster to focus his or her attention fully upon the use-of-force requirements for the organization and to meet them quickly and efficiently.

#### 4.7.5 Major Deductions for Equipment

**Deduction 4.48** - *A study or in-depth analysis should be conducted to maximize the value of the dress code for the EED. Is the title "Enforcement Officer" enough to warrant the amount of PPE that all Officers must wear all the time? The fact that many do not adhere to this policy raises concerns amongst the authors.*

**Deduction 4.49** - *Explore a "dress for the task" policy where a risk assessment is conducted at the Regional Level and the Officer's PPE adjusted for the mission.*

**Deduction 4.50** - *There ought to be some consideration to changing the colour of the uniforms used by the EED.*

**Deduction 4.51** - *This study has not been able to determine without any doubt that all EED officers should be armed*

**Deduction 4.52** - *A review of the procurement and EO supply management system would be beneficial.*

## 5 Policy

### 5.1 Chapter summary

Generally, the research team found the operational policy created within the organization to be satisfactory. However, there is a disconnect between the policy and implementation that runs through the organization.

A disconnect exists between officers and management regarding EB's policy. Many officers stated a desire for increased law-enforcement capabilities (tools, policy, capabilities) more in line with a first-responder agency; in the EOM, management specifically states the EB is not a first-responder agency. These sources of dissatisfaction between the different levels of the organization must be addressed through improved communication, shared vision of the mandate, training and leadership. This can be addressed through an increased presence of field-experienced EOs and regional staff at headquarters while moving to increase HQ staff participation in regional operations.

Other polices are hindered by cultural aspects of the organization. For example, as stated in Chapter 6, EB has a general culture of non-documentation. As this is the case, it is not possible to fully implement

specific policy proposals such as the Violent Incident Reporting System; a reporting program that requires a culture that documents all cases of violence against employees.

The research team also identified specific policy paths EB could further develop that would support improvements to officer safety. Addressing these policy deficiencies would serve to better support officers in their work, rather than change the immediate, tactical work EOs do.

The 2016 Enforcement Operations Manual (EOM) identifies many of the same questions the research team identified for further investigation by EB senior management.

## 5.2 Use of Force Policy

The Enforcement Branch has a detailed Use of Force Operational Directive [4-8-1] which was last updated in December 2013. The 14-page Directive confirms it applies to both WED and EED officers:

*This use of force policy will be considered the national standard and regardless of the specific designation of an officer and/or which protective enforcement equipment have been issued to support that designation. This model will apply to all EC officers who are authorized to use force. (p.2)*

The Directive confirms that while the Incident Management Intervention Model (IMIM) is confirmed as the model used by the Enforcement Branch for situational risk analysis, it is not the guiding policy for enforcement officers in the use of force. Instead, the Directive itself provides those requirements. This is an issue of potential significance and the Branch should expressly communicate this to officers at the annual recertification. Such an action would also support Article 27 of the Use of Force Operational Directive [4.8.1].

The Directive covers a broad range of activities which are relevant to the use of force and to different operational case scenarios.

When updating the Directive, the Branch should ensure consistency in all its Directives. Directives should be organized and consolidated in such a way as to ensure clarity for EOs. This could be accomplished through the annual Review of the Directive as stated in Article 26. Any revisions and updates to the Use of Force Directive can be included in officers' annual review, per Article 27.

In reviewing its Use of Force Directive and other related Directives, EB should consider reviewing the December 2015 CEO's EB PSES Proposed Action Plan. (Owen, 2015)



### 5.3 Branch Cooperation

*WED and EED cohabit work spaces and have similar organizational needs and threat models. A shared utilization of resources could improve operational capabilities while allowing for resource reallocation.*

The Directorates are responsible for similar clients and enforce federal environmental legislation. As stated in Chapter 5, officers in both Directorates do similar work in many situations. In this case, there is significant overlap in eight specific categories: inspection, evidence collection, execution of search warrants, investigation, joint operations, reports to Crown Counsel, court appearances, and laying charges. In these cases, there is the opportunity for each Directorate to benefit from the expertise and resources of their sister Directorate.

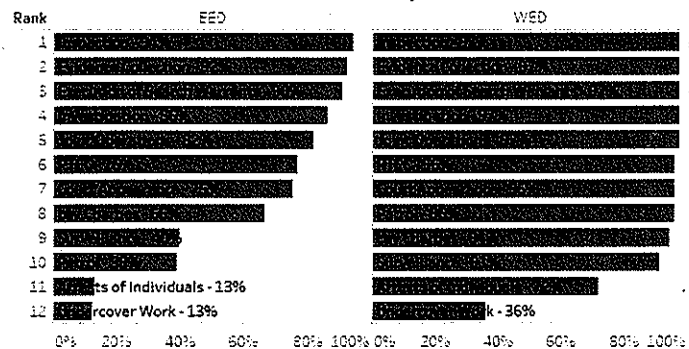


Figure 26: - Officer-stated work divided by Directorate.

English	Français
Rank	
EED	
Inspection - 94%	
Evidence Collection - 92%	
Execution of Search Warrants - 90%	
Investigation - 86%	
Joint Operation - 82%	
RTCC - 76%	
Court Appearance - 75%	
Lay Charges - 66%	
Surveillance - 40%	
Patrol - 39%	
Arrests of Individuals - 13%	
Undercover Work - 13%	
WED	
Inspection - 97%	
Evidence Collection - 97%	
Execution of Search Warrants - 97%	
Investigation - 97%	
Joint Operation - 97%	
RTCC - 96%	
Court Appearance - 96%	
Patrol - 96%	
Lay Charges - 94%	
Surveillance - 91%	
Arrests of Individuals - 72%	
Undercover Work - 36%	

One area where this could be of significant use is through the enrichment of the Branch's intelligence capabilities. Many of the clients that each organization interacts with are thematically similar; sharing and combining intelligence capabilities to guide resource deployment among both Directorates will improve the application of resources to where they will have the greatest impact.

***Deduction 5.1 - Improved centralized intelligence capabilities will lead to better cooperation between the Directorates and improved resource allocation.***

***Deduction 5.2 - Improved Directorate information sharing will improve officer safety.***

#### 5.4 Special Investigations Unit

*The absence of a Special Investigations Unit (SIU) does not allow EB to have an objective and professional assessment of a complaint against an officer. This hinders the development of new policy and procedures for EO safety.*

Law enforcement agencies that interact with the public, such as EB, to enforce a statutory or regulatory mandate inevitably become engaged in activities that generate questions and complaints. Moreover, members of the public could accuse EOs of inflicting injury when carrying out their duties. Accordingly, it is appropriate for agencies to proactively anticipate and create a process to address these issues through a defined internal process.

Several officers perceived that EB inappropriately redressed issues related to interactions with clients.

A case occurred where an officer found tire tracks entering a protected area. In order to include or exclude a vehicle, the officer went to measure its tires. The owner and a family member came out and became hostile towards the officer. The officer believes that EB's risk-averse and conflict-avoidant culture caused EB to question the EO's actions before considering her/his mandate to investigate the offense.

Another officer expressed confusion as to when it is appropriate to contact the Union and provide a statement if a serious injury were to occur to a member of the public.

In the cited example, the situation was not resolved to the satisfaction of the officers involved. The research team, regardless of who was 'right', sees no path currently exists for clients to register complaints with the organization. The purpose of an SIU is to professionally investigate those situations to protect officers, EB and the public by ensuring proper investigation.

The goal is to establish an effective process that permits objective investigation of legitimate complaints on defined grounds to avoid officer/Department harassment with a substantive, expeditious and appropriate investigation and an adjudication process. The process would support both the confidence of the public and of EOs.

This is an opportunity for management and the Union to meet to develop a protocol to protect the sanctity of the investigation and the rights of the member.

***Deduction 5.3 - The EB would benefit from an internal, independent body to investigate complaints and cases against officers and ensure due process.***

#### 5.5 Specialized intelligence operations

*There is a discrepancy between operational policy, training and field practices that increases EO risk exposure.*



The Directive on Surveillance (4-5-2), was designed to better collect information to feed the intelligence process and exploit processed intelligence. This Directive demonstrates the capability of the EB to provide specific and operationally-tailored policy to aid the development of capabilities. While in a vacuum, this policy is well-written and appropriately worded; however, the research team was concerned with several facets of the policy.

During the project, the team noted several instances of basic policy not being followed; policy written does not necessarily equate policy followed. Other times, the team noted that policy may have been followed, but due to inexperience in the field, officers may have placed themselves in greater danger than they realized. At one point, officers may have inadvertently performed undercover missions without realizing they had done so. Other officers stated that due to the training they received, they wanted to undertake higher-risk missions.

Examples like this demonstrate the danger of scope creep and an unintentional assumption of more risk than EB was originally willing to take. If considering undercover work, an informant policy is a necessity. However, if this is a step the Branch is not willing or does not feel is appropriate to take, this policy should be rolled back to an acceptable level of risk tolerance.

From a strategic level, EB must examine if these policies are necessary for officers to fulfill the EB mandate and not expose themselves to an inappropriate level of risk.

*You can have a great covert operator, but you need a good manager who knows and under-stands the risks. The management team must have knowledge of risks to properly support you.*

When examining policy like the Directive on Surveillance (4-5-2), the EB would be remiss not to ask if it is appropriate for officers to perform high-risk operations such as surveillance, source handling, or undercover work.

As was outlined in Chapter 6, EB should review its operational risk tolerance in specialized operations in cost benefit terms to ensure that it has the capability to effectively conduct them. Moreover, if EB comes to the decision to accept the necessity of high-risk operations, it must also recognize this is not a decision that can be simply legislated into action. The larger strategic reputational and financial liability risks that come with this type of work must be addressed through legal counsel, organizational buy-in and larger government approval.

**Deduction 5.4** - *EB is unknowingly and needlessly exposed to high levels of risk through inappropriate high-risk policy. EB is likely unaware, as individuals and an organization, the implied risk tolerance the organization has assumed.*

## 5.6 Policy creation

*Officers stated a perception that headquarters does not consider the experiences of field officers into policy creation.*

Officers noted a perceived operational divide between front-line officers and HQ leadership. Officers explained the cause of this being that HQ had never been in the field, had not struggled with the same questions that officers face and do not understand issues as officers do. In particular, officers felt there was too much policy direction and a general lack of accountability in the organization. Another source of disconnect between HQ and field is that HQ tends to change more frequently than field officers would like, causing a lack of continuity in policy development and organizational structure.

The absence of a defined and effective process to translate operational insights into targeted policy changes was identified by some as an issue of importance because it impacts officer safety. The difference in operational practices from region to region speak to this; different cultural and organizational norms speak to different perspectives on the organizational mandate and personal risk tolerance of local and regional management.

Experience in other law-enforcement environments over the past decades has shown that front-line operational insights can be extremely valuable in making legislation and regulations more effective and enhancing officer safety. However, working in a federal setting can hinder this process as many of the people drafting the regulations and legislation may not have operational experience. However, EB is not unique in this regard; many other law-enforcement organizations also have challenges incorporating field experience into legislative development. However, there are resources that EB could utilize within the federal government structure to improve integration of front-line officers' insights into legislation and regulations.

One such organization is the Public Prosecution Services of Canada (PPSC), an organization dedicated to providing prosecutorial advice to law enforcement agencies and to act as prosecutor in matters prosecuted by the Attorney General of Canada on behalf of the Crown. (Public Prosecution Service of Canada, 2016)

ECCC is a member of the Community of Federal Regulators (CFR) and members of this group have significant practical knowledge of every aspect of the implementation of federal laws and regulations.

When reviewing current policy, the May 2016 review of the Enforcement Operations Manual and the former CEO Report from December 2015 are also valuable assets for the CEO. These documents can be used to conduct a review of Enforcement Directives to ensure their relevance, necessity, cost effectiveness, consistency, non-duplication and overall application. Moreover, they can serve as an effective barometer to ensure policy is serving its intended purpose. EB may consider a review as a unique opportunity; by involving regional management and representatives, the Branch can conduct a thorough re-view and provide an opportunity for regional feedback within a predefined analytical scope. Regional managers could provide insight into the following areas:

- Areas of strength and weakness regarding specific policy, including areas to focus for future development
- Identify differences in practices and implementation across the country
- Identify and share best practices across the country, seeking to improve and streamline policy creation and implementation
- Define and grade the relevance, necessity and cost effectiveness of policy

***Deduction 5.5 - EB should take steps to address the officer perception that their insights are not valued and incorporated into policy changes.***

***Deduction 5.6 - EB should take all available internal and external sources of information to create and improve policy where available, especially sources with field and operational experience.***

## 5.7 Work-alone policy

*Circumstances of officers being required to work alone creates potential officer safety risk, possible institutional liability as well as impairment of operational capabilities.*

*Not all officers are aware of the current risk-assessment policy for work-alone situations.*

Among the most frequent officer-safety and enforcement-capability issues raised by officers was the prevalence of the need to work alone. Several factors caused this but officers most commonly identified the shortage of officers as the cause. The research team believes this caused frequent work-alone situations and violations of the intent of the Work Alone Directive (4-1-7). The policy states:

*"It is the policy of Environment Canada (EC), Enforcement Branch (EB) to allow its officers to work alone, but only after carrying out a "Risk Assessment Analysis" (see annexes 4-1-7(1), 4-1-7(2), and 4-1-7(ti)), and considering all risk factors and safety concerns as described in this directive and making the appropriate decision to mitigate possible dangers.*

*If working alone constitutes a risk, the manager will review the situation as quickly as possible, before implementing a change in work condition." [4-1-7]*

The view of this policy from the officers is generally positive and officers noted fewer work-alones and a greater understanding of officer safety needs from that perspective. However, officers did not uniformly demonstrate knowledge of this policy; officers stated that working alone was either a 'gut' decision or that no formal risk-analysis process existed.

Another officer noted that his/her manager stated that current conditions forbade **any** work-alones in **any** situation (author's emphasis). It is important for EB to recognize that officers and management may impose alternate levels of risk tolerance. We cannot judge the necessity or efficacy of this local implementation of policy and do not have a full understanding of the arguments behind it; those arguments may be completely valid and it may be that this is a necessary step given the work environment. However, it still is important for EB to note that local modifications to policy do in fact occur and they may occur without RD or EB knowledge.

Other officers noted that working at a small location placed officers in a position where they functionally were in work alone situations. For a multitude of reasons, officers could be put in a position where they had to work alone, including but not limited to: illness or injury, secondment, transfers, training, or other duties/responsibilities. In these cases, officers stated they are placed in an extremely difficult position where weeks or months of work and planning may have been put into developing an operation which is no longer viable for a single officer.

The 2016 Enforcement Operations Manual (EOM) specifically flags this as an issue to be aware of when reviewing the state of work-alones in EB. Specifically, the EOM poses the following questions regarding work-alones,

- Are EOs and managers actually adhering to the directive when it comes completing [sic] the assessment?
- Onus is on managers to perform a risk analysis. Theoretically, this is good practice but has it been implemented in the field?

- Managers must identify and review all situations where employees work alone by carrying out a "Task Hazard Analysis". Is this being done?

Although the research team cannot confirm with quantitative data, anecdotally, the EOM is correct to identify these as legitimate questions to pose. Interview data suggests that officers and management do not implement the policies as intended across the country.

***Deduction 5.7*** - The policy as written is generally sufficient but fails to take into context the current realities that officers face in terms of a lack of communications, resource deployment, intelligence, protection equipment, and cooperation with other law-enforcement bodies.

***Deduction 5.8*** - Officers and management have different understandings of the current policy and implement it differently across the country. Officers work alone for a wide variety of reasons and EB should take steps to ensure that officers and management are aware of current risk-assessment and work-alone policies.

## 5.8 Implementation of a major case management program

*EB does not have a major case management program (MCM) which hinders its ability to complete larger and more complex cases.*

There is no doubt that the nature of the investigative work being done by both WED and EED is becoming increasingly complex. Both groups face offender groups that see significant profit in their illegal activities; many officers noted that mainly due to its profit margins, wildlife trafficking is the third-most profitable illegal activity. This often requires the EB to target multi-jurisdictional cases which can feature an international element.

This reality is reflected in EB participation in international relationships with other law enforcement organizations. EB works at borders to intercept incoming and outgoing shipments of animal remains, trophies, and other restricted items. Other officers noted the international aspects of their work, both in terms of organizational cooperation and the criminal element:

- The arrest of suspected Mexican cartel members taking polar bear pelts to Mexico
- Requests for intelligence products from US Fish and Wildlife Services
- Cross-border work empowered by Title 18 requirements
- Bear gallbladder trafficking for traditional Chinese medicines

At least one officer noted an ongoing case that lasted over one year; a significant amount of time for one resource to be working on one project. Officers also noted a growing presence of organized crime within their work, in particular regarding drugs and animal trafficking. Multiple officers stated that many of the exposed targets are involved with organized criminal groups.

In these situations, the intelligence work, interagency cooperation, and conclusion of the cases should be a longer process to ensure their successful resolution. The research team does not recommend EB attempt any prosecution of organized crime by itself, it does require the ability to collect information in the initial stages of an investigation, process it into intelligence, and properly hand off collected material to the appropriate law-enforcement organization to ensure inter-organizational cooperation. Officers specifically noted this capability gap when dealing with large files and having to hand them off to the provincial authorities.

This growing investigation complexity also involves increased reliance on intelligence and research capacity as developing a proper approach requires full awareness of the suspected perpetrator. Lengthy investigations and case preparation can require significant human resources as investigators gather the necessary evidence and ensure its admissibility. This is an exceedingly complex task when prosecuting a well-funded suspect. Both WED and EED have been involved in major-case investigations and, like other specialized investigations, there are insights, experiences and 'lessons learned' which can, and should be, shared throughout the entire EB.

***Deduction 5.9 - Ongoing and increasing complexity of investigations requires capability development on the part of EB.***

***Deduction 5.10 - Due to the presence of organized crime and an international element, EB requires improved intelligence capabilities and collection of MOUs to facilitate the initiation, recognition and handing off cases where appropriate.***

***Deduction 5.11 - The creation of a major case management program will necessitate better exchange and sharing of intelligence with other law-enforcement agencies and aid a shift towards an intelligence-led organization.***

## 5.9 Reporting system for officer safety and threat awareness

*The reporting system for security and safety incidents does not appear to be fully implemented and followed. This is especially relevant as EB currently has a culture of non-documentation of events and activities.*

*EB was unable to provide a series of logs of all serious incidents to track ongoing incidents.*

*Officers did not identify a way to easily and effectively access officer-safety reports to support their own operational planning.*

EB has identified and recognized the importance of ensuring that all serious incidents are reported to the Branch.

*It is the policy of Environment Canada (EC), Enforcement Branch (EB) to ensure prompt re- porting of serious incidents by establishing effective reporting procedures for all incidents serious incidents [sic]. [EOM 4-1-1]*

In this case, the policy identified within the EOM is basically sound; however, the implementation of this policy leaves significant room for improvement.

First, as noted earlier, EB has a culture of non-documentation. When asked how they reported most issues, officers consistently stated it was done orally to management. In more serious cases, officers stated they would follow up with an email where appropriate. However, that begs the question; what is the threshold between appropriate and not appropriate? Would this be transferred to an official record or kept as an unofficial record between management and officer? While not uncommon in law-enforcement agencies, one respondent noted a stigma against reporting issues. On a basic level, this indicates a basic problem in that EB does not know, and cannot accurately assess, the level of risk officers face be- cause of policy non-compliance.

Linked tightly to this, EB was not able to provide the research team with an accurate log of submitted reports. The research team is aware these reports are saved within the team, therefore, the lack of logs

indicates a limitation of the organization to accurately track and record instances of officer safety. Logs like this can also form a source of information officers can reference and use as a starting point for any searches for more information to create a risk assessment.

Finally, there is no way for officers to access these reports in such a way as to form an actionable basis when compiling their own information background and deciding on a course of action to pursue. The current records management system (RMS), Gavia, is an officer's resource in this regard. Gavia's primary purpose is to record the records of enforcement and incidents (an incident in this case is a potential breach of mandate legislation) the Branch faces. As an improvement over the previous NEMISIS database, Gavia also includes an officer safety component for officer use. However, Gavia only has three fields for use with regards to officer safety:

- Client name
- Report number
- Incident description (available only for clients that are organizations)

As a result, officers dealing with individuals instead of organizations can only input that something occurred and point the officer towards the report.<sup>14</sup> The officer does not have the ability to review the report via Gavia. This limits Gavia's use to officers as a source of information for the creation of intelligence.

The officer noted some specific challenges with Gavia which lead to lower usage rates. The system itself is unstable, causing crashes and officer frustration. This results in the inability to quickly and easily search for material that is related to the case limits, as well as making it difficult to access a specific case and provide insight into officer safety issues. Finally, officers do not always input the information that is required and even accessing that same information requires multiple steps.

It should be noted that Gavia was recently rolled out to the whole organization which complicates changes but also make them more important to consider.

These weaknesses were previously noted in Directive 4-8-7, Use of Force Incident Reporting. In it, EB has moved towards creating a Violent Incident Reporting System (VIRS). The intention of the VIRS appears to be to "allow managers to collect and analyze information in order to develop and modify policy, models, and training and equipment standards in order to meet the challenge of an appropriate departmental use of force response and therefore minimize and mitigate risk." Directive 4-8-7 states this would be comprised of, but not limited to the following information:

- use of force reports;
- firearms use reports;
- use of force reviews;
- officer safety concerns;
- risk data;

---

<sup>14</sup> The Research team was informed this was done to minimize privacy concerns with regards to individuals.

- Canadian Police Information Centre (CPIC) criminal offender and risk data (interviewees suggested this was not possible due to EB's current MOUs to obtain CPIC and organization status);
- local/regional/national threat assessments;
- analysis of risk data;
- annual reports and summaries;
- records of use of force notifications; and
- links to Canadian Labour Code (CLC) hazard occurrence reporting.

This issue was flagged for future work in August of 2012, and is noted in the EOM as a high-priority item. The research team received no indication this has been actioned or is in the process of being created.

This is crucial for the development of EB as an intelligence-led organization; as the Directive correctly states, this information can be used to develop and modify policy, models, and training and equipment standards.

**Déduction 5.12** - *The fact EB culture is one of non-documentation which reduces EB's ability to accurately assess the threats officers may face, plays out across multiple identified pillars for EB: intelligence production, threat assessment, records management, and situational awareness.*

**Deduction 5.13** - *EB's current RMS does not adequately inform officers of safety issues they face in an accessible and usable way that provides the required information in whole for intelligence and officers to use in their work.*

## 5.10 Strategic communications - Internal and External dialogue

*Lack of good sharing of information inside and outside impact the capacity to improve officers' safety.*

The Enforcement Operations Manual Review from May 2016 specifically deals with the Directive (4-1-5) regarding Public Communications by the Branch including at the Regional level. While there clearly needs to be compliance with nationally set standards, this does not need to mean that regional branches are prohibited or discouraged from commenting or briefing local media regarding ongoing cases. Such local communications is essential to strengthening public awareness and support for the work of the local EB offices. Cooperative and helpful communities contribute to officer safety and to the overall success of local operations. Internally, public communications strengthens officer morale by publicizing the important work they are doing.

Communications directed at other law-enforcement agencies also consist of a vital aspect of officer safety and a way to mitigate strategic risks facing EB. Effective communications ensure a comprehensive strategy with overall buy-in from management directing the strategy. Moreover, improved communications with other law-enforcement agencies, police services and intelligence agencies creates a more fertile ground for interagency cooperation. If other organizations have an improved understanding of EB's mandate, importance and successes, they are more likely to provide support to EB when requested.

Finally, both enforcement officers and local managers expressed a desire to have a greater awareness internally of the activities of the entire Branch. There was a view that such communications from HQ to

the Branches might encourage increased details reporting to HQ which would improve their awareness of operations.

**Deduction 5.14** - *EB can improve strategic communications both internally and externally to support officer morale, improve organizational cohesion and contribute to EB success in achieving its mandate goals.*

**Deduction 5.15** - *Increased strategic communications can promote clarity of mission for all members of the organization.*

## 5.11 Increase interagency capabilities (MOUs)

*Interagency cooperation is a critical aspect of EB's work, acting as a force multiplier and supporting EB's stated desire to move towards becoming an intelligence-led organization.*

*Officers stated a lack of clarity on their part regarding the EB's policy on MOUs and interagency cooperation, viewing MOUs as a local, rather than a regional or national area of cooperation*

### 5.11.1 MOU creation

In the multi-jurisdictional world that is Canada and with the work that the EB does, interagency cooperation is an essential ingredient for both investigative efficiency and success. To support this work and to address the different roles and responsibilities of the cooperating agencies and departments, formalized written Memorandums of Understanding (MOU) have evolved to help achieve the goals and capabilities of the different partners.

Experience has shown that MOUs need to be in writing and be as operationally specific as possible. Clarity is one of the best guarantors of accountability and thus, compliance.

Given the EB's broad mandate and its overlapping enforcement activities, it is not surprising that it has multiple MOUs with different departments and agencies; this includes different levels of government within Canada and with international partner agencies. In addition to this, MOUs are frequently situation or scenario specific so multiple MOUs with a single partner are also frequently in existence. The EB also has specific Policy Directives on these issues with 3-1-4 pertaining to domestic MOUs and 4-5-6 relating to international ones.

The 2016 EOM Report identified several issues regarding overall responsibility for maintaining the MOUs as well as updating them to meet specific needs. Updates ensure the continuing relevance and accuracy of MOUs. The importance of these agreements is such that several officers identified the need to engage in a targeted initial analysis to ensure their relevance to operational needs and to maintain that process to deal with the evolving circumstances faced by EB officers.

This may best be accomplished by the Policy Planning and Coordination Directorate (PPCD) acting on direction from the CEO.

**Deduction 5.16** - *EB has the policy framework to allow for both local, regional, national, and international MOUs within the organization as required.*

### 5.11.2 Officer interpretation of MOUs

While the policy is in place for the proper development of MOUs, officers are not always aware of the policies, or their application.



As stated in the previous section, the system of MOUs is complex, with MOUs existing on multiple levels with similar agencies, different organizations, and different countries. It is extremely complex and difficult to navigate. The research team was provided with a list of MOUs, many of which are over 20 years old and are barely readable. They are not digitized in any meaningful way to allow officers to fully explore and understand the full nature of the support system the organization has. As an example, one officer noted that officers were forced to develop MOUs and agreements on an office-by-office basis. In addition, multiple officers noted that informal networking with local law-enforcement officials formed the basis for their cooperation. While informal networking is often the core of developing a functional relationship, officers should also know about the formal support that can promote and drive the informal networks as well. The officer appears to have been unaware of the large body of MOUs at his/her disposal on at the very least, a national level.

This lack of knowledge directly impacts officer safety. One of the primary concerns that officers referenced in their work was when they encountered dangers to the public outside their mandate. A common example is the case of drunk drivers at a roadside check. Multiple WED officers noted they had staged roadside checks to review hunting permits at remote locations and it was not unheard of for drunk drivers to drive through the roadblock. However, as this is outside their mandate, WED officers stated there was nothing they could do except for call the RCMP and wait; this was an imperfect solution as the road-block would back up waiting for RCMP. However, an increased emphasis on organizational cooperation and deployment of MOUs could help alleviate this situation through ensuring RCMP would be available on the day of the roadside checks, or ensuring they were present when the checks were occurring. Other officers in remote locations hesitated to use MOUs and felt uncomfortable asking the RCMP to perform enforcement tasks outside EB's mandate.

Ensuring that officers from both the RCMP and EB understand the organizational capabilities of the other's organization will support the development of smoother interagency cooperation on a local level.

Better local understanding of MOUs allows for greater risk transference to other designated first-responder agencies.

As a law-enforcement agency but not a first-responder agency, officers can transfer this risk to others in a better position to mitigate it.<sup>15</sup> Officers do not appear to consistently use this opportunity to transfer risk to the RCMP, an organization better suited to perform specific tasks. Many officers noted they interacted with organized crime throughout their work, even targeting areas that traditionally have significant involvement of organized crime.

Another officer noted that he/she worked on a case that involved organized criminal activity in waste disposal. The officer noted that they informed the neighbouring region when it was clear it was a multi-jurisdictional occurrence. Upon recognizing the involvement of organized crime, the officer stated EB stopped their investigation. It was not clear if initial investigators informed the RCMP, or another police service, as to the presence of organized crime.

In an informal interview, one regional director noted this still poses challenges. The RD noted that "you can't task other agencies to do what you're supposed to do, it never works." The research team fully recognizes this to be the case and does not expect the RCMP to fulfill EB's mandate. However, EB could take this opportunity to exploit a weakness by providing areas of opportunity to the RCMP, especially in

---

<sup>15</sup> As stated in the EOM, the EB is currently not a first-responder agency and is not currently equipped or mandated to deal with situations associated with first responder organizations.

the case of high-risk situations where RCMP has interest in other aspects of the case (ie. Presence of drugs, availability of weapons, other criminal activities.).

The full context of these investigations and the extent of external support is not clear to the research team due to the relatively short interview format and anonymized interviews. However, the research team's distinct impression is that officers do not fully appreciate and use other organizations for support even when it is available.

**Deduction 5.17** - *Officers are not always aware of MOUs that exist at different levels of the organization that can promote interagency cooperation at their level.*

**Deduction 5.18** - *Officers are not aware of the scope of MOUs that can support them in their work and promote interagency cooperation. Officers do not consistently use the functions of MOUs to transfer risk to other agencies that are better suited to deal with the situation.*

**Deduction 5.19** - *A greater reliance, identification, and use of MOUs across the organization will aid a cultural shift towards an intelligence-led organization. Increased involvement of partner law-enforcement agencies requires a greater flow of information, integration with other sources of intelligence, better risk transference, and a more strategic outlook on Branch work.*

## 5.12 Address rumours of a quota system

*Officers noted the existence of numerical targets for investigations*

During officer interviews, officers in different regions identified what they described as a 'quota system' whereby managers were given mandatory numerical targets by HQ for annual numbers of inspections and investigations. This was described as a part of a National Enforcement Plan that was not included among the 2016 EOM analysis of Directives.

*We are given regulatory-based 'quotas' for annual investigations- national enforcement plan has annual numerical targets*

*We are given inspection quotas and management terrified of not meeting them-causes 'cherry picking' of files acted on and officers are frustrated*

When raised to the leadership team, members of that team emphatically stated that no such quota system existed and this was an ongoing rumour that had been addressed in the past. EB should also consider this could be emblematic of a larger internal communication challenge; EOs may receive direction from managers without understanding the larger strategic picture. However, any previous communication was clearly not enough to fully remove all doubt this occurred.

**Deduction 5.20** - *Some EOs believe the existence of a quota system. EB should examine this to ensure that no quota system, formal or informal, is in place.*

**Deduction 5.21** - *Headquarters did not fully address the previous rumours of the existence of a quota system.*

## 5.13 Officer exemptions

*Officers are not fully aware of exemptions in place for them to complete their work.*

*Clarification and expansion of officer exemptions is an issue that the EB should examine to support operational effectiveness.*

One officer raised a concern about statutory authorizations for officer exemptions that allow EOs to breach legislation when necessary to enforce their mandate. An example of this exemption authority is contained in s. 11(5) of the Canada Wildlife Act which states:

**Exemptions for law enforcement activities**

*(5) For the purpose of investigations and other law enforcement activities under this Act, the Minister may, on any terms and conditions the Minister considers necessary, exempt wildlife officers who are carrying out duties or functions under this Act, and persons acting under their direction and control, from the application of any provision of this Act or the regulations.*

The fact that officers are not fully aware of their enforcement capabilities can be addressed by basic and continuous training, to improve the ability of the organization to enforce its mandate.

**Deduction 5.22** - *Officers are not fully aware of the limits of their mandate legislation with regards to their enforcement capabilities.*

## 5.14 Social Media

*Social media policy requires additional clarification for use in a law-enforcement setting.*

Social media was not identified as an initial portion of the study, but its inclusion into the report became important due to ongoing conversations with officers in the field. This is not a conclusive review, but rather the identification of an area the research team noted potential risk exposure.

EB has two specific policies regarding social media and open-source information. This is collected in Directives 3-4-2 (Social Media) and 4-6-7 (Research and Covert Computers).<sup>16</sup> However, as noted in Chapter 6, it does not appear as though all officers are aware of these policies. Additionally, the overall wording of 3-4-2 (Social Media) is largely aimed at appropriate officer use as a communications tool, and the inclusion of its use as an investigative or intelligence tool appears added only as an afterthought.

During the interview process, at no point did officers note the existence of covert or research computers for use in investigation or intelligence production. On the contrary, officers noted that Facebook was blocked at EB offices and none made mention of a covert computer. Another officer noted that he/she uses personal accounts to access Facebook to research clients. Combined with the previous quote, this is worrying as it suggests the use of personal accounts on a mobile device to research clients and their activities. If true, and the research team believes this to be the case, this has the ramifications of endangering the officer through exposure while also not properly documenting and preserving evidence for future use.

Moreover, Directive 3-4-2 (Social Media) does not identify the need for proper training with regards to the collection of open-source material. This is a specialized skill set, similar to the collection of 'offline' evidence, and there are specific techniques that allow for an efficient collection of materials. In addition, there are specific suites of tools available to officers for investigative purposes. Without training or specialized insight into the field, officers are not able to fully use this material.

---

<sup>16</sup> The research team also examined Directive 4-5-10 (Digital Media), but did not include it as it pertained to the use of digital cameras and recording, not the collection of online materials.

To become an intelligence-led organization, EB officers and intelligence analysts must be able to properly use social media as an information source. Additional guidance, in the form of a specific policy to deal with this, would have multiple benefits for the organization and officer safety. Most of all, it would better define the limits within which the officer and analyst can act, transferring risk to the organization and removing it from the officer or analyst.

***Deduction 5.23 - EB has not yet implemented policy with regards to the provision of research and covert computers for officers and analysts.***

***Deduction 5.24 - Include specialized training for the collection and exploitation of open-source and social-media materials in social-media policy.***

***Deduction 5.25 - EB would benefit from a specific policy that focused on the use of social media for investigative and intelligence purposes to better inform officers as to the best courses of action for them to take.***

## 6 Management

### 6.1 Chapter summary

EB lacks a single, unified strategic and operational direction and clarity. The research team found no clearly articulated mission statement, vision, and values statement for EB, resulting in individuals at all levels interpreting EB's mission statement in individual ways. Beyond the mandate of enforcing federal environmental and wildlife laws, EB must work to define exactly what that means for the Branch. The research team identified a distinct split between EOs and HQ in the interpretation of the word enforcement; crucial to this designation is whether it includes the responsibilities of a first responder for EB EOs. Moreover, the research team's inability to identify a concrete succession plan suggests that officers do not have an identified professional-development plan in the organization, and the organization is not maximizing its HR capacity to its fullest extent.

This is a strategic risk that has direct implications with EO safety. Poorly communicated guidelines create a situation where EOs perform above the stated risk tolerance of EB, or may not fully understand the requirements and expectations. This can create operational discord, inefficiencies, and EB not properly fulfilling its mandate.

These terms need to be better defined, communicated, and whole-of-organization buy-in engineered with the appropriate targeted investment of time, energy, and resources. Leadership can address and clarify its position through increased engagement, involvement, and interaction with EOs.

### 6.2 Clarify Enforcement Branch mandate

*Ensure clarity and organizational buy-in to the mission and mandate of EB.*

On the Environment and Climate Change Canada's Enforcement Branch webpage, the Enforcement Branch is described as

*Environment and Climate Change Canada's Enforcement Branch is responsible for the protection and conservation of both the environment and wildlife for future generations. In-the-field enforcement officers across Canada enforce environmental and wildlife laws.*

During the interview process, it became clear to the research team that many officers viewed the organization as lacking overall focus and understanding of EB's mission and vision statements. One of the primary sources of confusion was over whether the organization is an enforcement or regulatory agency and organizational buy-in.

*There appears to be a lack of organizational identity; is it regulatory or enforcement? Regardless of what it is, everyone needs to be on board.*

*There appears to be an identity crisis within the agency; the agency can't decide whether it wants to be regulators or officers. Job description and duties are of more of a regulator than an officer, although there appears to be a push towards more officer-like work. The clientele is predominately industry, not seeking to police people.*

Officers perceive that management may not be wholly committed to the mandate of the organization to "enforce environmental and wildlife laws." Since EB is a specialized agency, the term enforcement also needs to be precisely defined for officer clarity (this is covered in greater depth in the next section).

However, the research team notes that it found no concrete mission and vision statements beyond the mandate statement on the website.

Core to the role of officers is to ensure compliance with a legally enacted regulation, the violation of which is an offence under the Act to which it relates. This results in different types of operational scenarios which includes both high and low-risk work. This is a core understanding of law enforcement; law enforcement is promoting and upholding the law, rather than simply arresting perpetrators. Enforcement does not equate with using force, although EOs are able to use force if necessary.

This does not mean that every officer or analyst is required to do the same job, regardless of background or organizational need. It may be an internal EB decision to recognize that EB requires specialized roles not typically associated with law enforcement: evidence gathering, testing and analysing materials. EB may also recognize that officers have greater need of flexibility when enforcing EB mandates; for example, allowing officers to determine the tools and clothing to wear when on a specific mission in conjunction with management approval. However, these should be done in support of the overall mandate.

EB management also must clarify exactly where and how EB officers should act when coming across non-mandate situations. This includes ensuring EOs are aware of the mandate and their own scope and capabilities. Due to its size and broad mandate, the RCMP will *always* provide more assistance to EB than vice versa.

***Deduction 6.1*** - Officers perceive that management is not wholly committed to the organizational mandate of enforcing environmental and wildlife laws in Canada.

***Deduction 6.2*** - Internal EB communications should support, in both word and spirit, EB's mandate of enforcement, taking care to recognize the wide variety of EB enforcement activity.

### 6.3 Define the term enforcement as it applies to EB

*Officers and management have different interpretations of EB mandate and what enforcement means and does not mean for an EB officer.*

*This misalignment is one of the, if not the, most significant risk exposures EB faces. It drives organizational dysfunction and directly puts officers at greater risk.*

EB works in an extremely wide variety of environments with a wide selection of clients and threat models. Enforcement work includes a broad variety of activities from receipt of information or complaints to site inspections, obtaining required judicial authorizations, evidence gathering including searches, materials and information analysis, personal interactions and interviews, research, case preparation, court document service, evidence presentation and more. The specialized nature of EB's enforcement work also permits ongoing site inspections to ensure regulatory compliance. EB's work, especially that of EED, also includes activities not commonly associated with law enforcement: sampling, site testing, analysis of materials, and site/facility examination. This includes interaction with persons, including representatives of corporations, that are potentially in violation of the law and liable to penalties. Some of these individuals have easy access to weapons. EB's enforcement work also includes returning to sites after the initial interaction, or even conviction, to ensure compliance. As stated in chapter five, EB works in a variety of physical locations including: remote locations, First Nation reserves, marine environment, forests, Inuit communities and the Arctic. Work performed by EB officers in both WED and EED is multi-faceted and demands specialized skills, training and equipment as well as effective intelligence, and targeted interagency cooperation. Even more importantly, it requires informed legislation and policies and organizational coherence driven by local managers and national leadership that develops and maintains an ongoing awareness of operational activities and issues.

In addition to noting what enforcement means for EB, it should also include an understanding of what enforcement does not entail in EB. EB states in the EOM that it is "NOT a first responder organization."

EB does not define what it means to the Branch. The leadership team informed the research team there is no readily-available and widely-accepted definition. As an example, for the purposes of this document, the definition of the National First Responders Organization will suffice: "a First Responder is any individual who runs towards an incident instead of away from it." (National First Responders Organization, 2014) The EB Use of Force Directive [4-8-1] states that "The EB will support officer decisions to tactically reposition at any point in a situation if, in the officer's judgment, the officer justifiably believes the situation is or has developed beyond the scope of their training, the limits of their personal ability or the limits of their defensive equipment." However, during the interview process, many officers stated a desire to increase the equipment, policy, and training capabilities to 'run towards an incident instead of run away from it.' For example, some officers stated a desire for vehicle pursuit authority and criminal code amendments, including EOs under the criminal code.

These statements do not appear to align with EB policy, which states that EB will always support the 'tactical repositioning' of officers if officers feel it is necessary. Core to this is that enforcement does not always rely on the officer using force, or the threat of force, to uphold the law at that specific moment.

Regardless of the outcome in this situation, officers, managers, and HQ must align on the following fundamental question:

**Is the role of an EB officer one of a peace officer and first responder who is responsible for public safety, or is the role of an EB officer a peace officer who specifically enforces the EB mandate?**

This misalignment of visions was a constant in interviews. Officers stated that facing the public means they face specific dangers to themselves and at times feel responsible for the safety of those with whom they interact. Leadership in Ottawa correctly notes this is not part of the EB mandate. Even though both EOs and HQ raise valid points, the current split is not tenable. In the view of the research team, an organizational understanding of exactly what enforcement does and does not mean is crucial to ensuring the functionality of the organization moving forward. Clarifying this definition will provide long-term strategic benefits and an improved working environment across the entire organization with a

specific reduction in officer risk exposure. For example, if the cultural expectations are shifted to align with HQ's man-date, it is likely that a greater majority of EOs will likely:

- Be less hesitant to transfer risk on partner organizations, and feel less pressure to 'do the job themselves'.
- Demonstrate greater hesitancy to place themselves in dangerous situations, and then a greater willingness to extract themselves from bad situations.

This misalignment impacts EB and complicates nearly every question with which the organization wrests:

- What is the proper uniform policy?
- Is it appropriate to arm EED officers?
- What parts of training should be prioritized?
- Is it appropriate for EB to expand EO law-enforcement capabilities?
- What is the proper hiring profile for specific positions in EB?
- How much risk should EB officers transfer to other law-enforcement organizations?
- Should EO peace-officer status be expanded beyond its current state?

Whatever the direction that EB decides to move, this fundamental question must be addressed. EB must ensure organizational buy-in at all levels as to what enforcement means and does not mean.

**Deduction 6.ti** - *EB's mandate is extremely broad and presents a challenging and unique situation for officers. To carry out its mandate, EB requires specialized skills, training, equipment, proper intelligence, interagency cooperation, and strong communication between all levels of the organization.*

**Deduction 6.4** - *EOs and HQ are misaligned on whether EB officers are first responders or not. This misalignment is a major cause of organizational confusion between HQ and EOs and significantly increases the risk exposure of EOs and EB.*

## 6.4 Enforcement Branch hiring processes

*It is not clear that EB recruits and new EOs are always suited for their positions.*

Many officers noted challenges within the EB's hiring processes. Avoiding an expansion of scope, the Northgate Group did not examine hiring processes, but there are tangential areas where hiring processes can impact the overall strategic risk of the organization.

One individual noted that hiring processes did not always identify the correct individual for positions in the organization:

*"People should be hired for the right position. Putting someone in a uniform creates risk if they are not willing to use the tools that are in their hands. HR needs to ensure that enforcement-minded people are put in the correct positions... If you have a belief that you are a scientist, you will likely have a different approach towards how you interact with people. This is different from how someone with an enforcement mindset would act. Not a bad thing – however, it carries risks when put in an enforcement atmosphere."*

The officer further noted that this worldview affects basic interactions with people.

This touches on several different aspects of work within the organization, and specifically EED. From a mandate perspective, a broad spectrum of work is required to fulfill EB's mandate of enforcing environmental and wildlife laws and officers must be able to fulfill it. This is noted in the Directive on Officer Psychological Assessment (3-2-3).

This is a predictable outcome to the previous findings that the agency has an unclear mandate and differing opinions on what 'enforcement' means. However, noting that officers require a broad spectrum of skills, EB should seek to ensure that hiring practices are in line with job requirements.

**Deduction 6.5** - *EB requires a review of hiring processes and their implementation, from recruitment to completion of basic training to ensure the proper candidates are recruited, interviewed, hired, and trained, and finally that on-boarding is effective and complete.*

## 6.5 Succession Planning

*The research team could not identify a concrete succession plan for an EO to follow from introduction to EB until retirement.*

Officer mobility would be a valuable addition to EB. The ability for officers to navigate an easy-to-understand career plan and rise through the ranks of the organization creates great value for the team and provides the opportunity for EOs to fulfill their potential. By working to ensure a better and more fluid promotion structure, EB can ensure improve retention of capable staff and ensure that individuals have a way to grow within the organization.

EOs require significant training to effectively and competently enforce their legislation and protect themselves from harm. It would benefit EB to develop a formal succession planning system to guide and develop new recruits from introduction to EB to potential fulfilling EB leadership positions. From the author's experience and reviewing the main deductions in this chapter, a succession plan based on the following steps could increase the effectiveness of EB in directing operations through an increased emphasis on merit and logical progression through the organization.

Rank	Description	Pay rank (??)
<b>Recruit</b>	Not an employee until designation complete.	N/A
<b>Basic Enforcement Officer</b>	Officer completes a mentorship program and passes secondary exams based upon the LNA (roughly 1-2 years)	GT-4
<b>Enforcement Officer</b>	The current position as described.	GT-5
<b>Advanced Enforcement Officer</b>	This includes the addition of SME training cadre and mentorship responsibilities.	GT-5
<b>Intelligence Officer / Major Case Management SME</b>	Officers would be identified for alternative roles within EB that would involve the support of frontline field officers.	GT-6
<b>Operations Manager</b>	The Current position with enhanced training in operations and operational risk management.	GT-7



<b>HQ Secondment</b>	EO would work at National HQ for a period of 6-12 months in an advisory position to support knowledge transfer in a two-way direction. This could occur in any of the previous three steps and would be a requisite for RD work.	As the officer had at previous position
<b>RD</b>	The current position as described.	As current

This would create a distinct and systematic plan for EOs to follow as they progress over the course of their careers. EB would be able to effectively identify the 'best and brightest' and encourage career development along multiple paths in the organization.

Improving this process will likely involve Environment and Climate Change Canada and a review of Public Service policies to ensure that EB has fuller control over its own internal hiring and promotion processes. More specifically, the ability to design a progression model based on experience, training, performance and merit would be of great value to EB. This should include the use of annual performance reports when determining appointments.

**Deduction 6.6** - *EB does not have a documented HR process that maximizes the potential of its HR capacity through identifying and promoting the 'best and brightest' within its ranks using a merit-based pro-motion structure.*

## 6.6 Chain of command

*Inefficiencies within EB's chain of command create inefficiencies and poor use of resources.*

During the interviews, the research team noted a lack of communication and cooperation between the Directorates. This is not surprising given the fact that WED and EED are independent Directorates. However, the scarcity of operational resources suggests a more coordinated approach could allow for a better application of EB resources.

There is an identifiable concurrence of issues and operational and supporting activities that apply to both Directorates. The CEO may wish to examine the current organizational structures and staffing allocations to maximize productivity and support internal EB coordination. This same kind of analysis is also of potential value in the five regions for both EED and WED as well.

The May 1998 Standing Committee on Environment and Sustainable Development recommended a more centralized approach to the enforcement of Canadian environmental legislation. The wording is as follows:

- (a) the Minister of the Environment revise the Department's current structure to establish an independent centralized enforcement agency, with regional branches, that would report directly to the Minister of the Environment;
- (b) in setting up an independent centralized enforcement agency, the Minister of the Environment ensure that enforcement decisions are not made by officials having managerial functions and responsibilities in areas other than enforcement;
- (c) the Minister of the Environment take the necessary steps to ensure that the independent enforcement agency acquires the status of an investigative body and that it be designated as such for the purposes of the Access to Information Act.

The second recommendation has positive implications for officer safety. Having an empowered and focused enforcement managerial staff would also facilitate effective centralized planning and targeting of EO operational activities.

***Deduction 6.7 - The current decentralized management structure results in duplication, siloed activities and non-optimal use of scarce resources.***

#### **6.7 Divide between officers and HQ**

*Officers stated they have a lack of trust in HQ and its actions, believing that it acts in its own interests over those of the EOs.*

Multiple officers and managers raised concerns about the level of support HQ would provide in times of crisis for officers. Respondents at all levels stated this, although by no means did every officer say they felt the same lack of support. The research team notes that divides between HQ and front-line employees are common, irrespective of organization, but in EB's case they appear particularly acute. The presence of these comments from all regions should be of concern to EB HQ. Officers enunciated some of the following themes:

- A lack of support from the organization for day-to-day officer activities.
- Repeated fears that HQ would not support an officer if an officer were to use force in carrying out his or her duties.
- A perception that HQ's initial reaction in all situations would be to not support the EO, but rather protect itself.
- HQ's inability to properly understand the role of an EO and the dangers EOs face in their work.
- HQ's lack of field experience limits its ability to properly understand and direct the work of EOs.

The research team notes that aspects of this divide stem from an organizational schism on the role and meaning of enforcement in EB. This misalignment is a primary cause of officer-HQ confusion; if officers feel expanded law-enforcement capabilities are necessary to do their jobs and fulfill their mandate while HQ believes this to be outside of scope, confusion and misunderstanding are unavoidable. Better defining the specific roles of EOs, and modeling and communicating exactly how HQ will support officers can result in increased officer understanding of the overall scope of work. HQ must also work to counteract the perception, real or not, that HQ's initial reaction is to question rather than support the officer.

This does not change the uncomfortable fact that HQ does not have field experience. While the research team notes that policy development and organizational direction do not require field experience per se, they also benefit from multiple perspectives, especially of people who have 'been there.' Creating a program to second EOs into the HQ environment for specific rotations could have huge benefits for EB.

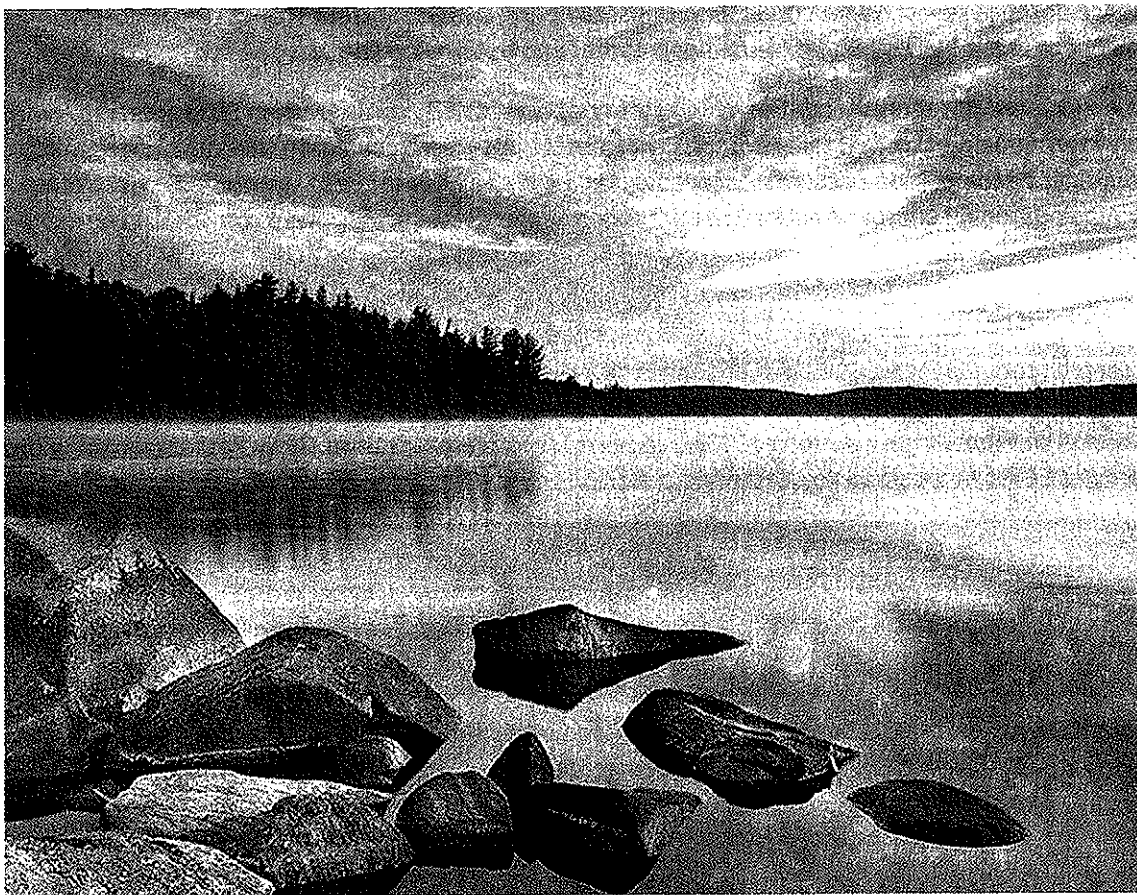
- Having more operational experience at HQ would allow for a more diverse skill set in solving specific organizational problems.
- Increased interactions between EOs and HQ would increase understanding and trust through different levels of the organization.

In both cases, this would serve to address the EO perception that HQ does not sufficiently support EOs in their work. To this point, one member of the management team informed the research team of an increased opportunity for HQ ride-alongs with EOs. This would be an excellent initial move towards

greater integration and communication between HQ and field staff, and would increase communication and in- formal links between different levels of the organization, which are important indicators of organization- al cohesion and trust between entities. (McChrystal, 2015)<sup>17</sup>

***Deduction 6.8*** - Many officers in the organization stated a lack of trust in HQ. HQ must redress and speak to this stated lack of trust and support from front-line officers.

***Deduction 6.9*** - Identifying specific positions on rotation inside HQ for experienced and proficient EOs such as in the CEO suite, operations, policy, training and intelligence may provide a better link.



---

<sup>17</sup> This is a theme of McChrystal's book, however it is most clearly enunciated in pages 175-177.

## 7 Options for EB

### 7.1 Chapter Summary

This chapter outlines organizational change options that the EB may wish to consider. The options stem from TNG's analysis, which is itself, informed on the authors' collective experience and knowledge of best practices. All options and courses of action presented below are meant to be descriptive and not prescriptive. EB leadership, who have a more in-depth knowledge of the culture of their organization, is best positioned to understand and implement any course of action forward.

With regards to officer safety at the tactical, operational, and strategic levels, the authors believe the *status quo* is not an option for EB; change must come to address the current state of EO risk exposure. The research team firmly believes that many of the changes to enhance EO safety should occur at the strategic level; this would provide EB with the tools to simultaneously improve its effectiveness in enforcing its mandate, better apply its resources, and reduce EO risk exposure. TNG notes that organizational change is difficult and to succeed, it requires a significant investment of time and resources, a campaign plan, and complete buy-in from the leadership team. The intent of this chapter is to provide EB with ideas and options to consider for eventual implementation.

Deductions in this report are derived from interviews with front-line EOs, RDs, and HQ staff, as well as from a review of EB documentation, government reports, and other literature. The unique expertise and experience of the research team conducting the study played an important role in the understanding of the challenges faced by the EB and in the development of options on the way ahead.

The following are not recommendations but rather options for EB consideration. EB leadership, working with key internal and external stakeholders, is in a better position to evaluate the advantages and disadvantages each position presents. Moreover, through a review of these options, EB will likely determine additional courses of action that are more appropriate for EB; these too should be considered.

### 7.2 Deductions

The research team identified 101 deductions in this report. EB should be aware of these deductions to consider when reviewing operational efficiency. Deductions are broken into three different horizons based upon the time, in the opinion of TNG, required for implementation. They are not ranked in order of priority as EB is in a position to determine priority.

	Time Frame	Reasoning
<b>Horizon One</b>	1-6 months	EB can likely accomplish these within its current structure do not require wholesale change.
<b>Horizon Two</b>	6-12 months	These have some change that needs to be done before implementation, but it is not on the organizational level.
<b>Horizon Three</b>	12-36 months	These require far more in-depth approval, legislative change, or significant DG investment.

### 7.2.1 Horizon one

The deductions in this section are ones that the research team believes require little planning and, from initial decision to final implementation, should be actionable within six months.

**Deduction 3.1** - *Identify and develop officers within the Branch whose primary role will be to liaise with First Nations peoples. These officers will be responsible for work on First Nations reserves and display the appropriate cultural awareness and sensitivities this requires.*

**Deduction 3.4** - *Ensure time is available to use a risk-based approach to prepare officers for the specific conditions they face in their jobs, especially in an industrial setting.*

**Deduction 3.8** - *Ensure basic training includes situation control, appropriate behaviour, and defensive posture when entering the residence of a person, particularly when that individual has access to weapons.*

**Deduction 3.9:** *Strategic communications messaging directed toward understanding of the need for the laws and regulations being enforced by EB should be planned and effectively disseminated in regions where EO's could be at risk.*

**Deduction 3.10** - *Officers do not fully utilize MOUs with partner organization for investigations that involve organized crime.*

**Deduction: 3.11** - *Ensure EED and WED officers obtain the support required from local law-enforcement bodies.*

**Deduction 4.1:** *A managed Operational Risk Management framework could assist in mitigating the risks EOs face in the conduct of their tasks.*

**Deduction 4.6:** *EB should examine Quebec to determine why officers are satisfied and determine which practices can be expanded across the country.*

**Deduction 4.7:** *CPIC should be prioritized within the intelligence branch where possible to ensure proper use, incorporation, and analysis of data.*

**Deduction 4.8:** *CPIC's use in the preparation of a case can support a turn towards an intelligence-led organization.*

**Deduction 4.17.** *Hiring and training of Intelligence analysts and officers does not appear to be a priority for EB.*

**Deduction 4.19.** *Gavia's roll out does not seem to be achieving many positive results and the EOs lack training on it.*

**Deduction 4.20.** *EB's internal reporting and information-sharing procedures do not appear to promote field-officer input of information, requests for information and distribution of national Intelligence briefs to EED and WED officers and managers.*

**Deduction 4.25:** *Different standards create disparities in officer safety. EB would benefit from a better understanding of organizational best practices and application.*

**Deduction 4.26:** *Addressing the shortfall of BB use in emergency situations is a priority for EB.*

**Deduction 4.27:** *Ensure ongoing SAT phone training for officers whose activities require it.*

**Deduction 4.28:** *Identify and map SAT phone dead zones where possible to better understand implications for officer safety.*

**Deduction 4.30:** *SPOT does not appear to satisfy the EO requirement as an effective emergency-communications system.*

**Deduction 4.35.** *The use of the BB as the main means of communications should be reviewed. If impossible to change at least identify where coverage is weak or does not exist and that a formal and reliable means be provided with an emergency communication capacity.*

**Deduction 4.42.** *Course trainers do not always enforce standards for re-certifications and EB accepts the employment of officers in the field that have not met requirements.*

**Deduction 4.45.** *EOs perform special operations that place themselves at unreasonably high levels of risk. The research team believes EB should cease these operations until such time as it can confirm that the proper policies are developed and followed, EO training is developed and meets standards, operational communications are improved, and EOs use a clear operational framework.*

**Deduction 5.4:** *EB is unknowingly and needlessly exposed to high levels of risk through inappropriate high-risk policy. EB is likely unaware, as individuals and an organization, the implied risk tolerance the organization has assumed.*

**Deduction 5.8:** *Officers and management have different understandings of the current policy and implement it differently across the country. Officers work alone for a wide variety of reasons and EB should take steps to ensure that officers and management are aware of current risk-assessment and work-alone policies.*

**Deduction 5.20 -** *Some EOs believe the existence of a quota system. EB should examine this to ensure that no quota system, formal or informal, is in place.*

**Deduction 5.21 -** *Headquarters did not fully address the previous rumours of the existence of a quota system.*

**Deduction 5.22 -** *Officers are not fully aware of the limits of their mandate legislation with regards to their enforcement capabilities.*

**Deduction 6.1 -** *Officers perceive that management is not wholly committed to the organizational mandate of enforcing environmental and wildlife laws in Canada.*

**Deduction 6.2 -** *Internal EB communications should support, in both word and spirit, EB's mandate of enforcement, taking care to recognize the wide variety of EB enforcement activity.*

**Deduction 6.4 -** *EOs and HQ are misaligned on whether EB officers are first responders or not. This misalignment is a major cause of organizational confusion between HQ and EOs and significantly increases the risk exposure of EOs and EB.*

**Deduction 6.8 -** *Many officers in the organization stated a lack of trust in HQ. HQ must redress and speak to this stated lack of trust and support from front-line officers.*

#### 7.2.2 Horizon two

The deductions in this section require additional planning and resource allocations and could be addressed within one year, from initial decision to final implementation.

**Deduction 3.2** *Ensure officers have adequate access and regular training on the employment of wildlife-protection equipment. (ie. Shotguns with lethal or non-lethal slugs)*

**Deduction 3.3:** *Ensure officers are properly trained, receive refresher training and have access to proper equipment to handle dangerous exotic animals.*

**Deduction 3..5** *Use intelligence and interagency cooperation to better assess dangers in industrial settings.*

**Deduction 3.6** *Support EO safety through better intelligence processes to support their ability to understand a situation prior to arrival.*

**Deduction 3.7** *Institute a standard set of background checks and intelligence measures to improve officer safety when conducting inspections or delivering summons on farms.*

**Deduction 3.12** *An improvement in EB intelligence capabilities could decrease the risk exposure faced by EB officers.*

**Deduction 4.2:** *An increased emphasis on proactive or "deliberate" planned operations would maximize the use of EB resources, directing them to areas with known, or at least probable, outcomes can occur.*

**Deduction 4.ti:** *EB intelligence policy does not line up with HQ's operational direction.*

**Deduction 4.4:** *EB has not reviewed and modified intelligence policy in such a way that it reflects that of an intelligence-led organization. This was a recommendation from the 1998 Parliamentary Report and 2011 AG Report.*

**Deduction 4.9** - *Address issues of non-documentation. To ensure EOs are better aware of risks, the Branch may wish to develop and implement a new national standardized procedure for officers to report hazardous occurrences for entry into an accessible database such as Gavia. Improved access to higher quality data will encourage EO use of Gavia and CPIC in advance of in-field operational work.*

**Deduction 4.12** - *Better training programs for officers and intelligence analysts can increase the capacity of the EB to rely on social media as a source for information and evidence while also reducing officer risk exposure.*

**Deduction 4.13** – *The Branch may wish to turn its Intelligence Renewal Project into a program with a strategic **communications** plan to be provided to all EOs and followed up by in-field briefings by HQ and local intelligence personnel.*

**Deduction 4.14** – *Establishing a position of Senior Intelligence Director (SID) reporting to the CEO would provide a single focal point for intelligence (INT) within EB. A SID working with the Operations Director, exercising functional authority over all intelligence staff would be an important step towards becoming an intelligence-led organization.*

**Deduction 4.16** - *The Branch does not have appropriately trained and skilled persons that are active in those positions at both an analytical and managerial level.*

**Deduction 4.18** - *INT analysts and officers do not have any specific mandatory intelligence training.*

**Deduction 4.21** - *EB does not appear to have the appropriate designation (level of access) to the CPIC. Giving all EOs CPIC access and ensuring its use is crucial to establishing advance risk awareness.*

**Deduction 4.22.** *EB officers, both EOs and intelligence officers do not have full statutory authorization to share and receive law-enforcement related information from other federal and local law-enforcement agencies as well as international agencies with whom they work.*

**Deduction 4.29** - *Radios could be of great value to support EOs in their activities but there are practical and logistical challenges that stand in the way of implementation.*

**Deduction 4.31** - *Any revisions to SPOT should also be accompanied by internal communications and training updates to ensure it is used as EB envisions.*

**Deduction 4.32** - *Multiple offices are using different systems with important shortcomings and indicates the flawed state of EB emergency communications.*

**Deduction 4.36** - *The development of an instructor cadre is crucial to the ongoing development and professionalization of EB.*

**Deduction 4.38.** - *The Learning Needs Analysis and Design Report 201ti should be reviewed for its merit and used by leadership as the first steps in establishing a EBPDS.*

**Deduction 4.39** - *The EB needs to conduct a Training Needs Assessment (TNA) to standardize their training and ensure consistency.*

**Deduction 4.43** - *There is no designated, dedicated trained instructor cadre. The present process of accepting anyone available, not necessary SMEs, raises EO and EB risk exposure.*

**Deduction 4.44** - *There is no Chief Instructor or Chief Standard's Officer positions identified in EB to support the development and provision of professional training at a designated standard.*

**Deduction 4.46** - *The ballistic vests do not appear to be standardized across EB and officers are not clear about what level of protection their vest provides.*

**Deduction 4.47** - *Some changes occurred with regards to vest standards in at least one region; EB should ensure that all ballistic vests meet minimum requirements for the particular threats EOs face.*

**Deduction 4.49** - *Explore a "dress for the task" policy where a risk assessment is conducted at the Regional Level and the Officer's PPE adjusted for the mission.*

**Deduction 5.2** - *Improved Directorate information sharing will improve officer safety.*

**Deduction 5.5** - *EB should take steps to address the officer perception that their insight is not valued and incorporated into policy changes.*

**Deduction 5.6** - *EB should take all available sources of information to create and improve policy where available, especially sources with field and operational experience.*

**Deduction 5.7** - *The policy as written is generally sufficient, but does not take into context the current realities that officers face in terms of a lack of communications, resource deployment, intelligence, protection equipment, and cooperation with other law-enforcement bodies.*

**Deduction 5.9** - *Ongoing and increasing complexity of investigations requires capability development on the part of EB.*



**Deduction 5.10** - Due to the presence of organized crime and an international element, EB requires improved intelligence capabilities and collection of MOUs to facilitate the initiation, recognition, and handing off cases where appropriate.

**Deduction 5.17** - Officers are not always aware of MOUs that exist at different levels of the organization that can promote interagency cooperation at their level.

**Deduction 5.18** - Officers are not aware of the scope of MOUs that can support them in their work and promote interagency cooperation. Officers do not consistently use the functions of MOUs to transfer risk to other agencies that are better suited to deal with the situation.

**Deduction 5.23** - EB has not yet implemented policy with regards to the provision of research and covert computers for officers and analysts.

**Deduction 5.24** - Include specialized training for the collection and exploitation of open-source and social-media materials in social-media policy.

**Deduction 6.5** - EB requires a review of hiring processes and their implementation, from recruitment to completion of basic training to ensure the proper candidates are recruited, interviewed, hired, and trained, and finally that on-boarding is effective and complete.

**Deduction 6.7** - The current decentralized management structure results in duplication, siloed activities and non-optimal use of scarce resources.

**Deduction 6.9** - Identifying specific positions on rotation inside HQ for experienced and proficient EOs such as in the CEO suite, operations, policy, training and intelligence may provide a better link.

**Deduction A.1** - Specific, targeted, and small modifications to legislation can support EB sustainability.

### 7.2.3 Horizon three

The deductions in this section are one the research team believe will require more in-depth planning, a champion, a change management framework and potentially, project managers. From decision to final implementation, this process will likely take between 12 and 36 months.

**Deduction 4.5** - Officer feedback suggests the need for an overhaul of the entire intelligence process including: setting clear expectations; determining policies and procedures; implementing adequate training; recruiting and staffing the required positions; and ensuring organizational accountability for the use, production, and integration of intelligence into the organization.

**Deduction 4.10** - Encourage and improve EO capacity to search within EB documentation to support officer safety and threat assessments.

**Deduction 4.11** - EOs do not see how increasing documentation of safety incidents can build up an EB knowledge base on officer safety. This is the responsibility of management to address, this is possible via a dedicated strategic communications program.

**Deduction 4.14** - Better training programs for officers and intelligence analysts can increase the capacity of the EB to rely on social media as a source for information and evidence while also reducing officer risk exposure.

**Deduction 4.15** - The establishment of an INT Coord manager to deal with inter-regional and inter-directorate issues, performance measurement, and quality control coordinating through the National Intelligence Manager Conference Call and an INT manager who is responsible to strategic INT for both EED and WED at HQ and outreach with other GoC Intelligence organizations.

**Deduction 4.23** - EB HQ and regional officers do not seem to have awareness of and access to crucial information-sharing tools to act as force multipliers in their work. Examples of this include relevant interagency operational activities, such as the Marine Security Operations Centres (MSOC), and digital identity verification cyber security technology.

**Deduction 4.24** - There are no operational policies and training for the use of social media that incorporate both intelligence and investigative purposes

**Deduction 4.33** - Before procuring additional means of communication, the EB should conduct an immediate review of EB officers' field communications systems to determine how they are being used, then modify processes to maximize their efficiency and implement training on each system's use.

**Deduction 4.34** - Explore the development of an EB dispatch capability for each region for SA and directing operations. In the interim, wherever possible, take steps to ensure that officers in the Regions are part of a secure provincial law enforcement communications system and explore options to develop more formal relationships with partnering agencies.

**Deduction 4.37** - EB's basic training still does not provide training on all relevant laws and regulations that EOs are expected to enforce upon graduation, nor is there a formal continuous training regime in mandate legislation or EB policy.

**Deduction 4.40** - Professional Development (PD) is lacking for each level within the organization and would be used to support succession planning.

**Deduction 4.41** - There is no formal succession planning process.

**Deduction 4.48** - A study or in-depth analysis should be conducted to properly determine of the dress code for the EED. Is the title "Enforcement Officer" enough to warrant the amount of PPE that all Officers must wear all the time? The fact that many do not adhere to this policy raises concerns amongst the authors.

**Deduction 4.50** - There ought to be some consideration to changing the colour of the uniforms used by the EED.

**Deduction 4.51** - This study has not been able to determine without any doubt that all EED officers should be armed

**Deduction 4.52** - A review of the procurement and EO supply management system would be beneficial.

**Deduction 5.1** - Improved centralized intelligence capabilities will lead to better cooperation between the Directorates and improved resource allocation

**Deduction 5.3** -The EB would benefit from an internal, independent body to investigate complaints and cases against officers and ensure due process.

**Deduction 5.11** - *The creation of a major case management program will necessitate better exchange and sharing of intelligence with other law-enforcement agencies and aid a shift towards an intelligence-led organization.*

**Deduction 5.12** - *The fact EB culture is one of non-documentation which reduces EB's ability to accurately assess the threats officers may face, plays out across multiple identified pillars for EB: intelligence production, threat assessment, records management, and situational awareness.*

**Deduction 5.13** - *EB's current RMS does not adequately inform officers of safety issues they face in an accessible and usable way that provides the required information in whole for intelligence and officers to use in their work.*

**Deduction 5.14** - *EB can improve strategic communications both internally and externally to support officer morale, improve organizational cohesion and contribute to EB success in achieving its mandate goals.*

**Deduction 5.15** - *Increased strategic communications can promote clarity of mission for all members of the organization.*

**Deduction 5.16** - *EB has the policy framework to allow for both local, regional, national, and international MOUs within the organization as required.*

**Deduction 5.19** - *A greater reliance, identification, and use of MOUs across the organization will aid a cultural shift towards an intelligence-led organization. Increased involvement of partner law-enforcement agencies requires a greater flow of information, integration with other sources of intelligence, better risk transference, and a more strategic outlook on Branch work.*

**Deduction 5.25** - *EB would benefit from a specific policy that focused on the use of social media for investigative and intelligence purposes to better inform officers as to the best courses of action for them to take.*

**Deduction 6.3** - *EB's mandate is extremely broad and presents a challenging and unique situation for officers. To carry out its mandate, EB requires specialized skills, training, equipment, proper intelligence, interagency cooperation, and strong communication between all levels of the organization.*

**Deduction 6.6** - *EB does not have a documented HR process that maximizes the potential of its HR capacity through identifying and promoting the 'best and brightest' within its ranks using a merit-based pro-motion structure.*

**Deduction A.2** - *Legislative modifications can be complex issues and require coordination with other government bodies. This should also be incorporated into a strong internal and external communications or public-affairs strategy.*

**Deduction A.3** - *Through reviews of the organizational footprint, EB can likely find cost savings and efficiencies.*

### 7.3 Option to provide EED officers with a sidearm

***Deduction 7.1 - This study has not been able to determine without any doubt that all EED officers should carry a sidearm.***

The study does not conclude that EED officers require a sidearm to fulfill the needs of their position at this time. This may change in the future, especially as organizational changes in the form of better intelligence, organizational structure, training, interagency cooperation, and communications show benefit.

However, the research team is not in a position to fully understand the organizational challenges, budgets, culture, priorities, and approval processes to recommend any one course of action. However, through this exercise, EB identified five potential options to consider. After review, EB HQ may determine that some of these courses of action could be viable and lead to further study and implementation either in whole or in part. This portion does not presuppose that EB may consider the current situation where EED EOs do not carry a sidearm to be a viable option.

Moreover, an infinite number of minute variations exist to these options. They are not fully comprehensive in terms of the proposals or the effects of any of the proposals. If EB were to decide to provide EED officers, or a subsection of them, with a sidearm, a full study dedicated solely to this question would be appropriate.

Finally, any investment in arming EED officers, either in part or in full, must also be considered in terms of the immediate cost of its implementation as well as a delay on implementing other and, in the opinion of the research team, more pressing needs.

s.19(1)

## Appendix – Areas to explore

### A1 Organizational footprint

The interview process identified HR staffing as a primary concern for EB. Officers stated they were forced to work alone due to a small number of individuals at their regional office.

A significant portion of EED EO work consists of directed work that does not need to be done in the field. As a result, it could be worthwhile to consider locating EED officers in a smaller number of locations with a mandate to enforce regulations in the same geographical footprint. This could have multiple beneficial outcomes for EED:

- Serving in fewer locations would reduce the number of work- alones EED must per- form due to HR short- ages,
- It would require a more centralized structure, as noted in the 1998 Parliamentary Report,
- This would force an increased reliance upon intelligence and planning,
- This could result in cost savings due to fewer staffing positions in the regions.

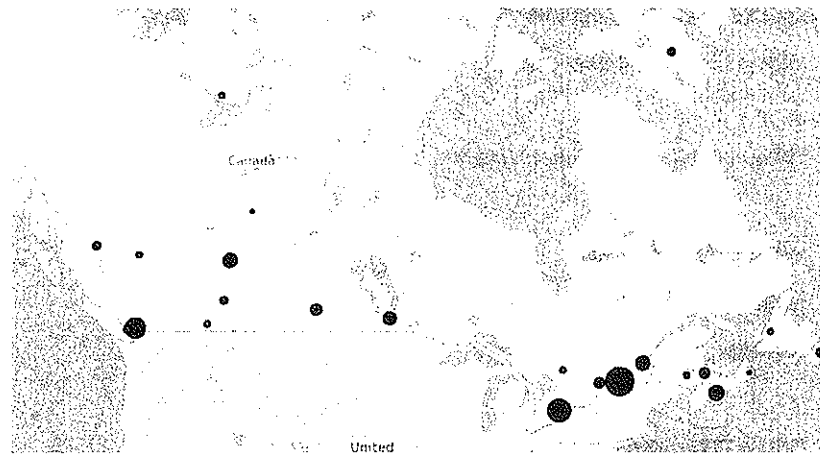


Figure 27 - Locations of EED officers, as provided by EB HQ at the start of the project.

From initial interviews, it appears as though staff at the office follow a model similar to this; officers are located centrally but stated they work throughout as needed by the

The Northgate Group did not perform an in-depth analysis of all data to fully understand all aspects of this challenge, however, this could reduce EED risk exposure while providing for greater cost efficiencies for resource acquisition.

**Deduction A.3** – Through reviews of the organizational footprint, EB can likely find cost savings and efficiencies.

### A3 Survey

Attached is a version of the survey that was provided to respondents. The majority of surveys were delivered in person and respondents had the opportunity to read along with the survey but were not provided the questions in advance. Other surveys were delivered over the phone. All surveys were provided in the language of the respondent's choice, either French or English.

#### Demographics

This section serves to capture the demographics of interviewees.

1. What is the interview code?

2. What is the interviewers name?

3. What is your gender?

☐ Male

☐ Female

4. What is your highest level of education achieved?

☐ High school

☐ College

☐ Undergraduate University

☐ Postgraduate

5. What post location do you work at?

☐ CD Burlington

☐ Calgary

☐ Corner Brook

☐ Cranbrook

☐ Dartmouth

☐ Edmonton

☐ Fort McMurray

☐ Fredericton

☐ Gatineau

☐ Iqaluit

☐ Moncton

- ☐ Montreal
- ☐ Mount Pearl
- ☐ Nanaimo
- ☐ North Bay
- ☐ Ottawa
- ☐ Prince George
- ☐ Quebec City
- ☐ Regina
- ☐ Sackville
- ☐ Saskatoon
- ☐ Sault Ste. Marie
- ☐ Smithers
- ☐ Sydney
- ☐ Toronto
- ☐ Vancouver
- ☐ Whitehorse
- ☐ Windsor
- ☐ Winnipeg
- ☐ Yellowknife

6. What branch do you currently work in?

- ☐ WED
- ☐ EED

7. Are you designated?

- ☐ Yes, full designation
- ☐ Yes, partial designation
- ☐ No

8. If designated, what acts are you designated under? (Select one only)

- ☐ Wildlife act
- ☐ Fisheries act
- ☐ CEPA (Canadian Environmental Protection Act)
- ☐ Cross Designated
- ☐ Other

☐ Not designated

9. What is your position?

☐ Enforcement Officer

☐ Intelligence Officer

☐ Management

☐ Executive

10. How long have you been with the Enforcement Branch?

☐ Less than one year

☐ One to less than five years

☐ Five years to less than 10 years

☐ 10 years and up

11. How long have you held this position?

☐ Less than one year

☐ One to less than five years

☐ Five years to less than 10 years

☐ 10 years and up

12. What is the number of locations you have worked at?

☐ 1 location

☐ 2 locations

☐ 3 locations and up

13. Did you have any previous law-enforcement experience when hired? (If multiple, select the most pertinent one)

☐ No, no previous law-enforcement experience

☐ Yes, with one organisation

☐ Yes, with multiple organisations

Please elaborate if necessary

### Job Activities

14. What specific enforcement or investigative duties and/or actions do you perform?

☐ Inspection



- ☐ Patrol
- ☐ Investigation
- ☐ Surveillance
- ☐ Evidence collection (including sampling)
- ☐ Undercover work
- ☐ Court appearance
- ☐ Joint operations
- ☐ Execution of search warrants
- ☐ Arrests of individuals
- ☐ RTCC (Reports to Crown Counsel)
- ☐ Lay Charges

Please elaborate on any activities that are a danger to you if not listed above. Please give examples.

15. What associated officer-safety risks have you faced in the carrying out of your duties?

- ☐ Wildlife-related dangers
- ☐ Verbal threats
- ☐ Physical altercations
- ☐ Threat of weapons
- ☐ Use of weapons
- ☐ Fear of reprisals from criminal structures
- ☐ Occupational health and safety (OHS) related
- ☐ Other

Other

Please give examples

16. What type of threat agents have you encountered in the course of your work?

- ☐ Dangerous wildlife
- ☐ Hunters
- ☐ Farmers
- ☐ Lone or individual criminals
- ☐ Organised crime
- ☐ Environmental (OHS)
- ☐ Other

Other, please specify.

Please provide examples.

17. How do you report incidents?

18. Have you ever been assaulted in the course of your work?

- ☐ Yes, with no injuries
- ☐ Yes, with an injury that did not require hospitalisation
- ☐ Yes, with an injury that required hospitalisation
- ☐ No

Please provide examples

19. Has a person threatened or assaulted you with a weapon in the course of your work?

- ☐ Yes, an object re-purposed as a weapon (ie. kitchen implement, tire iron, etc\_)
- ☐ Yes, a motorised vehicle
- ☐ Yes, a blunt-force weapon
- ☐ Yes, an edged weapon
- ☐ Yes, a firearm
- ☐ Yes, other
- ☐ No, I have never been threatened or assaulted with a weapon while at work

Please provide examples

20. On average, how frequently do you encounter people with weapons?

- ☐ On a weekly basis
- ☐ 1-3 times/month
- ☐ 1-10 times/year
- ☐ Less than oncelyear
- ☐ Never

Please provide examples

21. In your opinion, has the job become more or less dangerous over the past five years (or, if you have not worked here for five years, since you started)?

- ☐ Yes, it has become more dangerous
- ☐ It is roughly the same.
- ☐ It has become less dangerous

Please provide examples

22. What locations have you encountered threats at? (Grade these on a scale of 1-5, where 1 is absolutely safe and 5 is extremely dangerous)

	Extremely safe					Extremely dangerous	N/A
Urban	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rural	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Forest	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mines	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Industrial	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Marine	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reservations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Border	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Arctic	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protected Areas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide examples for the most dangerous situation

23. Do you work in work-alone situations?

- ☐ Yes
- ☐ No

Please provide examples

24. Do you work in remote areas?

- ☐ Yes
- ☐ No

Please provide examples

25. How often do you assist your sister organisation (WED assisting EED, or EED assisting WED)?

- ☐ Weekly
- ☐ 1-3 times/month

- ☐ 1-10 times/year
- ☐ Less than once/year
- ☐ Never

Please provide examples.

26. How often do armed law-enforcement bodies require you to assist them in their duties?

- ☐ On a weekly basis
- ☐ 1-3 times/month
- ☐ 1-10 times/year
- ☐ Less than once/year
- ☐ Never

Please provide examples

27. How often do you require assistance from other armed law-enforcement bodies in advance?

- ☐ On a weekly basis
- ☐ 1-3 times/month
- ☐ 1-10 times/year
- ☐ Less than once/year
- ☐ Never

Please provide examples

28. How often do you require assistance from other armed law-enforcement bodies after arrival on scene?

- ☐ One a weekly basis
- ☐ 1-3 times/month
- ☐ 1-10 times/year
- ☐ Less than once/year
- ☐ Never

Please provide examples

29. What is the typical response time when requesting armed backup in case of emergency?

- ☐ I have never requested armed backup when faced with an emergency.
- ☐ 20 minutes or less

- ☐ 21-45 minutes
- ☐ 46 to 90 minutes
- ☐ Greater than 90 minutes

Please provide examples

30. Have you ever undertaken vehicular pursuit of a suspect?

- ☐ On a weekly basis
- ☐ 1-3 times/month
- ☐ 1-10 times/year
- ☐ Less than once/year
- ☐ Never

Please provide examples

31. Have you ever received training for vehicular pursuit?

- ☐ Yes
- ☐ No

Please elaborate

Include when, and how often if available

32. Have you ever had to intercept and search a subject?

- ☐ On a weekly basis
- ☐ 1-3 times/month
- ☐ 1-10 times/year
- ☐ Less than once/year
- ☐ Never

Please provide examples

33. Have you ever received training to intercept and search a suspect?

- ☐ Yes
- ☐ No

Please give examples.

Include when, and how often if available.

34. Have any of your investigations/seizures/arrests involved persons also engaged in criminal activity?

- ☐ Yes
- ☐ No

Please provide examples

### Equipment provided

35. How well does the officer-safety protection equipment protect you in your duties?

- ☐ I have no concerns about the equipment EC provides me
- ☐ There are some small concerns about what EC provides me
- ☐ The equipment EC provides me is insufficient to my needs

Please provide examples

36. Do you see value in having an on-body and/or car camera?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide examples

37. How often does the Environment Canada field-safety communication system not meet your needs?

- ☐ On a weekly basis
- ☐ 1-3 times/month
- ☐ 1-10 times/year
- ☐ Less than once/year
- ☐ Never

Please provide examples

38. Do you have access to CPIC databases?

- ☐ Yes, uninterrupted access on the road and office
- ☐ Yes, in the office and limited access on the road
- ☐ Yes, only in the office
- ☐ No

Please provide examples

39. Does the intelligence you receive provide adequate insight into the threats and risks you face in the carrying out of your duties?

- ☐ Yes
- ☐ No
- ☐ Maybe
- ☐ I don't know

Please provide examples

### **Environment Canada Policies**

40. Have EC officer-safety policies hindered you from completing your work?

- ☐ Yes
- ☐ No

Please provide examples

41. Are there problems in any of the mandate legislation that need to be addressed in regards to your safety?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide examples

42. Does the fact that WEDs carry arms while EEDs do not impact officer safety?

- ☐ Yes
- ☐ No

Please provide examples

### Training

43. Have you ever employed verbal de-escalation with a regulatee?

- ☐ Yes
- ☐ No

Please provide examples

44. Do you feel adequately trained to verbally de-escalate a potentially hostile situation?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide examples

45. Do you feel adequately/appropriately trained to face risks your job may present?

- ☐ Yes
- ☐ No

Please provide examples

46. Do you receive an adequate amount of annual refresher training to deal with OHS and safety-related risks?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide examples

47. Do you feel additional training could improve your safety in carrying out your duties?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide examples



### Issuance of sidearms

48. Do you think it is appropriate for officers in your position to carry a sidearm?

- ☐ Yes, I agree
- ☐ No, I do not agree
- ☐ I am unsure

Please provide examples

49. Would you agree to carry a sidearm while performing your duties (this would have no impact on your employment)?

- ☐ Yes, I would agree to carry a firearm in the course of my duty
- ☐ No, I would not agree to carry a firearm in the course of my duty
- ☐ I already carry a firearm in the course of my duty

Please provide examples

### Wrap up

50. Is there anything else you would like to speak about regarding officer safety?

## Bibliography

- Canadian Centre for Occupational Health and Safety. (2017, May 23). *OSH Answers Fact Sheets*. Retrieved from Canadian Centre for Occupational Health and Safety: <https://www.ccohs.ca/oshan-swiers/psychosocial/violence.html>
- Canadian Press. (2013, September 2). 'Sovereign citizen' movement worrying officials as 30,000 claim they 'freed' themselves from Canada's laws. Retrieved from The National Post: <http://nationalpost.com/g00/news/canada/sovereign-citizen-movement-worrying-officials-as-30000-claim-they-freed-themselves-from-canadas-laws/>
- Environment and Climate Change Canada. (2011). *Department response to recommendation ti.ti9 2011 December Report of the Commissioner of the Environment and Sustainable Development. Chapter 3—Enforcing the Canadian Environmental Protection Act, 1999. Office of the Auditor General. GOC.*
- Environment and Climate Change Canada. (2017). ECCC. Retrieved from ECCC Departmental Plan 2017-19: <https://www.ec.gc.ca/default.asp?lang=En&n=A3ti6C81F1&offset=3&toc=show>
- Frank E. Bird, J. a. (1985). *Practical Loss Control Leadership*. Loganville, Georgia: Det Norske Veritas.
- House of Commons. (2016, November 29). Standing Committee on Environment and Sustainable Development: Evidence. (39).
- Money Control. (2017, May 22). *Money Control -- Glossary*. Retrieved from Money Control: [http://www.moneycontrol.com/glossary/insurance/loss-exposure\\_1329.html](http://www.moneycontrol.com/glossary/insurance/loss-exposure_1329.html)
- National First Responders Organization. (2014). *Who is a First Responder?* Retrieved May 17, 2017, from National First Responders Organization: <http://www.nfro.org/who.html>
- Office of the Auditor General. (1999). *2011 December Report of the Commissioner of the Environment and Sustainable Development. Chapter ti - Enforcing the Canadian Environmental Protection Act*. Ottawa: Office of the Auditor General.
- Office of the Auditor General of Canada. (2011, December). *2011 December Report of the Commissioner of the Environment and Sustainable Development*. Retrieved from Office of the Auditor General of Canada: [http://www.oag-bvg.gc.ca/internet/English/parl\\_cesd\\_201112\\_03\\_e\\_36031.html#def2](http://www.oag-bvg.gc.ca/internet/English/parl_cesd_201112_03_e_36031.html#def2)
- Organizational Culture Eats Strategy For Breakfast, L. A. (n.d.). Retrieved from <https://www.torbenrick.eu/blog/culture/organisational-culture-eats-strategy-for-breakfast-lunch-and-dinner/>
- Owen, G. (2015). *The CEO's proposed EB PSES action plan*. Unpublished.
- Parliamentary Standing Committee on Environment and Sustainable Growth. (1998, May). *Development, Report of the Parliamentary Standing Committee on Environment and Sustainable Growth*. Retrieved from Parliament of Canada: <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=1031521&File=18&Language=E&Mode=1&Parl=36&Ses=1#footback7272>

- PricewaterhouseCoopers. (May 2017, May 25). *Operational Risk Management*. Retrieved from PricewaterhouseCoopers: <http://www.pwc.com/la/en/risk-assurance/operational-risk-management-t.html>
- Public Prosecution Service of Canada. (2016, August 16). *Mandate*. Retrieved from Public Prosecution Service of Canada: <http://www.ppsc-sppc.gc.ca/eng/bas/index.html#mandate>
- Ratcliffe, J. (2008). *Intelligence-Led Policing*. Cullompton: Willan Publishing.
- Rick, T. (2014, June 11). *Organizational culture eats strategy for breakfast, lunch and dinner*. Retrieved from Meliorate: <https://www.torbenrick.eu/blog/culture/organisational-culture-eats-strategy-for-breakfast-lunch-and-dinner/>
- Sterritt, S. (2017, March 20). *Fisheries officers fired upon in North Cowichan arrest*. Retrieved from Nanaimo News Now: <http://nanaimonewsnow.com/article/529538/fisheries-officers-fired-upon-north-cowichan-arrest>
- The Institutes. (2012). *Risk Assessment and Treatment*. Malvern, Pennsylvania: The Institutes.
- The Institutes. (2012). *Risk Management Principles and Practices*. Malvern, Pennsylvania: The Institutes.
- The Northgate Group. (2006). *A view from the front lines: officer safety and the necessity of sidearms*. Ottawa: Customs and Immigration Union.
- U.S. Department of Justice, O. o. (2009, April ). *Navigating Your Agency's Path to Intelligence-Led Policing*. p. P.1.
- Umbrella Memorandum of Understanding between the Royal Canadian Mounted Police and The Department of the Environment. (2003, Feb 21).

**Northgate**

